

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

Civil Appeal No(s).2962-2963/2020
(@ out of SLP (C) Nos. 24272-24273/2019)

RAM CHAND SHAHDADPURI

Appellant(s)

VERSUS

TDI INFRASTRUCTURE PVT. LTD.

Respondent(s)

O R D E R

Leave granted.

These appeals arise out of the order dated 27.05.2019 passed in I.A. Nos.7225 of 2019 (in Revision Petition No.197/2019) and order dated 16.08.2019 passed in I.A.No.13239 of 2019 (in Revision Petition No.197/2019) by the National Commission¹.

The aforesaid Revision petition arose out of the decision dated 08.08.2018 passed by the State Commission² in First Appeal No.621 of 2015 which was disposed of with following directions:

“18. Respondent/complainant has submitted that he is about 83 years of age and he comes from Dehradun on every date of hearing and has spent about 12 years in litigation. He has also stated having undergone heart surgeries and that he has no son. He is living out of Delhi with his daughter. He is fed up of litigation. To give quietus to the matter, he is willing to accept the refund of money with interest @ 12% p.a. He states that he has no objection if interest awarded by Ld. District Forum is reduced from 18% p.a. to 12% p.a. With the

1 The National Consumer Disputes Redressal Commission, New Delhi.

2 The State Consumer Disputes Redressal Commission, New Delhi.

consent of the respondent/complainant, we reduce the interest from 18% to 12% p.a. from date of complaint till realization. Accordingly we direct appellant/OP to refund the amount deposited by respondent/complainant with interest as is stated above within 8 weeks of receipt of this order by way of demand draft in the name of appellant/OP before the District Forum failing which District Forum shall take coercive measures against appellant/OP for compliance of aforesaid directions."

Since the parties represented by Mr. Prasenjit Keswani, learned advocate for the appellant and Ms. Kanika Agnihotri, learned advocate for the respondent have agreed to have the matter disposed of through amicable settlement, we need not enter into the rival contentions advanced on behalf of both the sides.

It is a matter of record that a sum of Rs.19,57,607 stands deposited in the Registry of this Court and a further sum of Rs.20 lakhs (two demand drafts of Rs.10 lakhs each) was deposited in the Registry of the State Commission. Thus, more than Rs.39 lakhs stand deposited by the respondent.

With the consent of the parties, we therefore, direct:

(a) Upon payment of Rs.37 lakhs to the appellant herein, all the disputes between the parties shall stand resolved.

(b) The amount deposited in the Registry of this Court along with interest accrued thereon shall be made over to the present appellant within two weeks from today on furnishing sufficient proof of identity.

(c) Thereafter, from and out of the money deposited in the Registry of the State Commission, such sum shall be made over to

the appellant so that Rs.37 lakhs in aggregate are paid to the appellant.

(d) The appellant shall thus be paid a sum of Rs.37 lakhs in total and rest of the money deposited by the respondent shall be allowed to be withdrawn by the respondent.

(e) The payment of Rs.37 lakhs in the manner indicated hereinabove shall be taken as due satisfaction of the directions issued by the State Commission and Revision Petition No.197 of 2019 filed by the respondent in the National Commission shall stand disposed of accordingly.

These appeals are disposed of in aforesaid terms without any order as to costs.

Pending applications, if any, shall also stand disposed of.

.....J.
(UDAY UMESH LALIT)

.....J.
(VINEET SARAN)

New Delhi,
August 19, 2020.

ITEM NO.31 Court 5 (Video Conferencing) SECTION XVII-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s).24272-24273/2019

(Arising out of impugned final judgment and order dated 27-05-2019 in IA No. 7225/2019 16-08-2019 in IA No. 13239/2019 passed by the National Consumers Disputes Redressal Commission, New Delhi)

RAM CHAND SHAHDADPURI

Appellant(s)

VERSUS

TDI INFRASTRUCTURE PVT. LTD.

Respondent(s)

(IA No. 61489/2020 - CLARIFICATION/DIRECTION)

Date : 19-08-2020 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Mr. Prasenjit Keswani, Adv.
 Mr. Manu Beri, Adv.
 Mr. Satyajit Saha, Adv.
 Mr. Mahesh Kumar, Adv.
 Mr. Upamanyu Tewari, Adv.
 Mrs. V. D. Khanna, AOR

For Respondent(s) Ms. Kanika Agnihotri, Adv.
 Mr. Amer Vaid, Adv.
 Mr. Arjun Rekhi, Adv.
 Ms. Niharika Ahluwalia, AOR

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

These appeals are disposed of in terms of the signed order.

Pending applications, if any, shall also stand disposed of.

(INDU MARWAH)
COURT MASTER (SH)

(PRADEEP KUMAR)
BRANCH OFFICER

(SIGNED ORDER IS PLACED ON THE FILE)