

ITEM NO.9

COURT NO.6

SECTION XVII-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 4986/2018

M/S EMAAR MGF LAND LTD.

Appellant(s)

VERSUS

KUMAR RISHABH & ANR.ETC.
([ONLY C.A. NO. 8914/2019 IS LISTED])

Respondent(s)

WITH

C.A. No. 8914/2019 (XVII-A)
{MENTION MEMO}

Date : 23-11-2021 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE M.M. SUNDRESH

For Appellant(s) Mr. Aditya Narain, Adv.
Mr. Arnab Narain, Adv.
Mr. Mishra Raj Shekhar, Adv.
Mr. Kabir Dixit, AOR

Mr. Mohan Mamtani, Party-in-person

For Respondent(s) Mr. Jayant Nath, Sr. Adv.
Mr. Sameer Abhyankar, AOR
Mr. Amish Tandon, Adv.
Mr. Nalin Talwar, Adv.
Mr. Ayush Beotra, Adv.
Mr. Abhinav Mishra, Adv.
Ms. Nishi Sangtani, Adv.

Mr. Rajiv Ranjan Dwivedi, AOR

Mr. Sanchar Anand, Adv.
Mr. Anant K. Vatsya, Adv.
Mr. Arun Kumar, Adv.
Mr. Devendra Singh, AOR

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

Only one of the matters is listed today on
account of mentioning. Learned counsel appearing

for M/s EMAAR MGF Land Ltd, submits that the total number of cases involved were 45 out of which 19 were settled and disposed of. He submits that out of the remaining, 19 matters have been settled in September and some earlier and only 5 matters are remaining as unsettled and compromise applications in settled matters shall be filed shortly. He requests for some time to move appropriate applications in the settled matters so that those can be segregated and the unsettled matters can be then listed for consideration, if no settlement is possible.

The party appearing in person in Civil Appeal No.8914/2019 of which corresponding appeal is Civil Appeal No.8474/2019 contends that he was called for settlement on 1st April, 2021 but nothing transpired after that as they were supposed to get back to him. His requests have fallen on deaf ears and thus, he feels that he is really being made a fool of! One grievance is that being a senior citizen he was made to wait for almost two hours. We have told learned counsel for the respondent that it is something which cannot be countenanced.

Similarly Mr. Jayant Nath, learned senior counsel appearing in Civil Appeal No.4986/2018 and Civil Appeal No.4987/2018 contends that they have made the complete payment and are willing to settle

but in any case possession should be handed over to them without prejudice to the rights and contentions of the parties. In this behalf also we may say, we have already passed orders for handing over possession to all the flat owners and learned counsel for the respondent submits that there is no difficulty in handing over possession.

In order to avoid any unnecessary wastage of time and considering that these are 3 out of the 5 cases stated to be pending, we fix the date and time as 3rd December, 2021 at 11 a.m. The parties will be properly attended to at that time by the competent officer of the respondent and every endeavour be made to find a mutually agreeable settlement for these three parties and remaining two parties.

List all the connected matters for directions on 11th January, 2022.

[ASHA SUNDRIYAL]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)