

ITEM NO.22

COURT NO.11

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

Petition(s) for Special Leave to Appeal (C) No(s). 5775/2020

(Arising out of impugned final judgment and order dated 21-08-2019 in RP No. 986/2018 passed by the National Consumer Disputes Redressal Commission, New Delhi)

SUJIT KUMAR SIL & ANR.

PETITIONERS

VERSUS

SUDIPTA BISWAS

RESPONDENT

(IA No. 24662/2020 - EXEMPTION FROM FILING O.T.)

Date : 15-12-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

For Petitioner(s)

Mr. Sanjoy Kumar Ghosh, Adv.
Mrs. Rupali Samanta Ghosh, AOR

For Respondent(s)

Mr. Rajiv R. Mishra, Adv.
Mr. Saurabh, Adv.
Mrs. Suruchi Yadav, Adv.
Mr. Srimanta Ray, Adv.
Ms. Parichita Ray, Adv.
Mr. Saikar Chatterjee, Adv.
Mr. Narender Kumar Verma, AOR

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

1. Application seeking exemption from filing official translation is allowed.
2. Having regard to the order passed on 26th May, 2020 wherein this

Court had noted that it was only on account of some balance consideration payable by the respondent to the petitioner as part of the sale consideration in respect of the subject flat that a conveyance deed has not been executed since the year 2002, though the respondent is in physical possession of the subject premises since August, 2002.

3. We have heard learned counsel for the parties.

4. Learned counsel for the respondent has drawn our attention to two cheques for a sum of ₹1,25,000/- (Rupees One Lakh Twenty Five Thousand) each both dated 04th September, 2019, which were issued in favour of the petitioners, but were not encashed. He submits that this shows the bonafides of the respondent.

5. Learned counsel for the petitioners states that releasing the outstanding amount after such a long time would not suffice and the petitioners are entitled to at least some reasonable interest on the said amount.

6. It is deemed appropriate to direct the respondent to pay a sum of ₹2,50,000/- (Rupees Two Lakh Fifty Thousand) along with a sum of ₹1,00,000/- (Rupees One Lakh) to the petitioners, to bring an end to this prolonged dispute.

7. The petitioners shall execute a conveyance deed in respect of the subject flat in favour of the respondent within six weeks from today. The

respondent shall prepare the pay order/demand draft in favour of the petitioners and hand over the same to them at the time of executing the conveyance deed in the office of the Registrar of Assurances.

8. The petition for Special Leave to Appeal is disposed of.

9. In view of the aforesaid order, all litigations pending between the parties in respect of the subject flat and/or its repairs etc. shall stand closed.

(POOJA SHARMA)
COURT MASTER (SH)

(NAND KISHOR)
COURT MASTER (NSH)