

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. 453 OF 2020
(Arising out of SLP (C) No. 28687 of 2019)

M/s CITY MAKER

Appellant(s)

VERSUS

SHABANA M. SYED

Respondent(s)

O R D E R

Leave granted.

The judgment dated 24.09.2019 passed by the National Consumer Disputes Redressal Commission in First Appeal No. 2410 of 2017 is called in question in this appeal.

Though during the course of arguments, number of points were raised by the Advocates of rival parties, Shri Huzefa A. Ahmadi, learned Senior Counsel appearing for the appellant, Ms. Shabana M. Syed, Respondent-in-person and Shri Manoj Swarup, learned Amicus Curiae, on the suggestion of the Court, they agreed to compromise the matter amicably. Pursuant thereto, Shri Ahmadi, learned Senior Counsel on getting instructions from the appellant, suggested that the appellant is ready to get the matter compromised by paying Rs.20,00,000/- towards full and final settlement of the claims of the respondent for which the respondent-in-person is not agreeable and is requesting for higher amount.

Having regard to the totality of facts and circumstances, and in order to give quietus to all the litigations between the

parties, we deem it proper to direct the appellant to pay Rs.25,00,000/- (Rupees Twenty Five Lac only) to the respondent, which will be accepted by the respondent, towards full and final settlement of all her claims. Accordingly, we direct the petitioner to pay a sum of Rs. 25,00,000/- (Rupees Twenty Five Lac only) to the respondent towards full and final settlement on all the claims in relation to Flat No. 1006 in the City Height Building, Ibrahim Merchant Road, Mumbai. So far as Flat No.902(A) is concerned, the respondent is happily living in the said flat and she shall not be disturbed. There shall not be any claim by the appellant in respect of Flat No. 902(A) against the respondent.

The amount of Rs. 25,00,000/- (Rupees Twenty Five Lac only) as ordered by this Court shall be paid by appellant to the respondent within eight weeks from today by way of an account payee cheque or demand draft to the respondent. All the litigations between the parties in the Civil Court, Criminal Court or before the Investigating Agency shall stand terminated by virtue of this order. The complaint filed by the respondent against the third party in respect of Flat No. 1006 shall also be withdrawn by her.

The appeal is, accordingly, disposed of.

....., J.
(Mohan M. Shantanagoudar)

....., J.
(R. Subhash Reddy)

New Delhi;
January 20, 2020.

CORRECTED

ITEM NO.43

COURT NO.12

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). 28687/2019
(Arising out of impugned final judgment and order dated 24-09-2019
in FA No. 2410/2017 passed by the National Consumers Disputes
Redressal Commission, New Delhi)

M/S CITY MAKER

Petitioner(s)

VERSUS

SHABANA M. SYED

Respondent(s)

(FOR ADMISSION and I.R. and IA No.186160/2019-EXEMPTION FROM FILING
O.T.)

Date : 20-01-2020 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR
HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s) Mr. Huzefa A. Ahmadi, Sr. Adv.
Mr. Ejaz Maqbool, AOR
Ms. Akriti Chaubey, Adv.
Mr. Rohan Sharma, Adv.
Mr. Kunwar Aditya Singh, Adv.
Mr. Muhammad Isa M. Hakim, Adv.
Ms. Aishwarya Sarkar, Adv.

For Respondent(s) Ms. Shabana M. Syed, Respondent-in-person
Mr. Manoj Swarup, Sr. Adv. (AC)

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

Leave granted.

The appeal is disposed of in terms of the signed order.

Pending applications, if any, stand disposed of accordingly.

(GULSHAN KUMAR ARORA)
COURT MASTER

(R.S. NARAYANAN)
COURT MASTER

(Signed order is placed on the file)

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Mr. Kunwar Aditya Singh, Adv.
Mr. Muhammad Isa M. Hakim, Adv.
Ms. Aishwarya Sarkar, Adv.

For Respondent(s) Ms. Syed Shababa, Respondent-in-person
Mr. Manoj Swarup, Sr. Adv. (AC)

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