

ITEM NO.15

COURT NO.15

SECTION X

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

Writ Petition(s)(Civil) No(s). 1475/2019

GOPI NAIR & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(FOR ADMISSION and IA No.193346/2019-EXEMPTION FROM FILING O.T.)

Date : 06-01-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE NAVIN SINHA
HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s) Mr. J.M.Sharma, Sr. Adv.
Mr. Pranshu Kaushal, Adv.
Mr. Ashutosh Singhal, Adv.
Mr. Sandeep Singh, Adv.
Mr. Ajit Sharma, AOR

For Respondent(s) Mr. V.Giri, Sr. Adv.
Mr. Rajat Mittal, Adv.
Mr. Nitish Kant Sharma, Adv.
Mr. Navindra Rai, Adv. for R.No.8.
M/s. Logix Infratech Pvt.Ltd.

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

The Writ Petition is disposed of.

(SUMAN WADHWA)
AR CUM PS

(DIPTI KHURANA)
COURT MASTER

Signed order is placed on the file

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

WRIT PETITION (C) NO. 1475 OF 2019

GOPI NAIR & ORS.

PETITIONER(S)

VERSUS

UNION OF INDIA & ORS.

RESPONDENT(S)

O R D E R

We are not satisfied that this writ petition under Art.32 is maintainable directly before this Court, in the nature of the cause of action claimed.

Sufficient remedies are available to the petitioner under Art.226 of the Constitution, as also before Real Estate Regulatory Authority (RERA) and Consumer Forum.

We also clarify that the present order cannot be construed as any expression of opinion by us either way on the merits of the matter. Merits and objections to the same, if any, are matters more appropriately to be considered by the Forum which may be availed of by the petitioner.

Learned Counsel for the petitioner made a request for transfer of the present proceedings itself to the competent High court as a proceeding under Article 226 of the Constitution.

We direct that the present records be transferred to the Allahabad High Court where it may be registered as a

filing under Art.226 and be considered and decided on its own merits in accordance with law. We also request the High Court to dispose of the matter as expeditiously as its business may permit.

The Writ Petition is disposed of accordingly.

.....J
(NAVIN SINHA)

.....J.
(KRISHNA MURARI)

New Delhi;
6th January, 2020.