

IN THE SUPREME COURT OF INDIA  
 CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO. 2502 OF 2019

DR. VIRENDRA SWARUP INSTITUTE OF COMPUTER STUDIES Appellant(s)

VERSUS

HADI MOHD TAHER BADRI & ORS.

Respondent(s)

O R D E R

Heard the learned Senior Counsel/Counsel appearing for the parties.

The matter is being disposed of today as it is clear that the appellant is an allottee in the real estate project of the Respondent No.3. As an allottee, it has either a right to get possession of the flat or to claim refund. It has been argued before us that the appellant has been offered possession but has declined.

In this event, it is clear that the appellant is entitled to refund of monies that it has paid. This refund will be made by Respondent No.3 within a period of four weeks from today with 10.7% interest.

It is made clear that this order is not to be treated as a precedent.

The insolvency proceeding filed by the Respondent No.2 is therefore set aside.

Accordingly, the appeal is disposed of.

Pending applications also stand disposed of.

..... J.  
(ROHINTON FALI NARIMAN)

..... J.  
(VINEET SARAN)

New Delhi;  
 March 29, 2019.

ITEM NO.2

COURT NO.5 SECTION XVII  
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). 2502/2019

DR. VIRENDRA SWARUP INSTITUTE OF COMPUTER STUDIES Appellant(s)

VERSUS

HADI MOHD TAHER BADRI & ORS.

Respondent(s)

(ONLY I.A NO. 40328/2019 APPLICATION FOR VACATION OF INTERIM ORDER TO BE LISTED)

Date : 29-03-2019 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN  
HON'BLE MR. JUSTICE VINEET SARAN

For Appellant(s) Mr. Jai Sai Deepak, Adv.

Mr. Piyush Singh, Adv.  
Mr. Aditya Parolia, Adv.  
Mr. Nithin Chandran, Adv.  
Mr. Akshay Srivastava, Adv.  
Mr. Gaurav Goel, AOR

For Respondent(s)

Dr. Abhishek Manu Singhvi, Sr. Adv.  
Mr. Jayant Bhushan, Sr. Adv.  
Mr. Amar Gupta, Adv.  
Mr. Daksh Ahluwalia, Adv.  
Ms. Pallavi Kumar, Adv.  
Mr. Adhiraj Gupta, Adv.  
Mr. Divyam Agarwal, AOR

Mr. Saurabh Kirpal, Adv.  
Mr. Tishampati Sen, AOR

Mr. Mukul Rohatgi, Sr. Adv.  
Mr. Alok Dhir, Adv.  
Mr. Ashu Kansal, Adv.  
Ms. Varsha Banerjee, Adv.  
Mr. T.V.S. Raghvendra Sreyas, AOR  
Ms. Stuti Vatsa, Adv.

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

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

(R. NATARAJAN)  
COURT MASTER (SH)

(RENU DIWAN)  
ASSISTANT REGISTRAR

(Signed order is placed on the file)