

SA No. 84 of 2013

With

CLMA No. 7139 of 2013

**Hon'ble Prafulla C. Pant, J.**

Mr. Siddhartha Singh, Advocate,  
present for the appellant.

Mr. Lok Pal Singh, Advocate, present  
for respondent no. 12.

Ms. Puja Banga, Advocate, present for  
the respondent no. 17.

Heard.

Admit the appeal on following  
substantial questions of law:-

(i) Whether the space earmarked by the  
builder for the park and school locality  
would vest in its residents, and/or the society  
formed by the residents for their beneficial  
enjoyment or would vest in the owner/  
colonizer?

(ii) Whether the counter claim filed by the  
defendant no. 10 (appellant) is not  
maintainable under Order VIII Rule 6A of  
C.P.C., against the co-defendant in a  
representative suit, if so, its effect?

Summon the lower court record.

Issue notices to respondent nos. 1 to 11  
and respondent nos. 13 to 15.

List after service of notice on the  
respondents, mentioned above.

**(Prafulla C. Pant, J.)**

**16.07.2013**

