

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).10594-10595/2014
(Arising out of impugned final judgment and order dated 25-01-2011
in SA No. 59/2011 passed by the High Court Of Judicature at
Allahabad)

RAM AUTAR GUPTA (VAISH)

Petitioner(s)

VERSUS

GANGA RAM & ORS.

Respondent(s)

Date : 07-07-2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE AMITAVA ROY

For Petitioner(s) Ms. Tulika Mukherjee, Adv.
Mr. Kumar Shivam, Adv.
Mr. Shrivandit Mishra, Adv.
Ms. Anuradha D. Mishra, Adv.
M/s Anuradha & Associates, AOR

For Respondent(s) Mr. Abhinav Jain, Adv.
Mr. Anil Kumar Tandale, AOR

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

Heard the learned counsel for the parties. No case for
interference is made out in the judgment and order of the First
Appellate Court as well as that of the High Court dismissing the
suit for specific performance.

However, at the same time, in the peculiar facts and
circumstances of the case, it would be just, proper and fair to
direct refund of the earnest money of Rs. 50,000/- (Rupees Fifty
Thousand only).

Let the amount be paid within a period of three months from
today failing which it will carry an interest of 6% per annum from
the date of the order passed by this Court.

The Special Leave Petition stands disposed of, accordingly.

Pending application(s), if any, shall stand disposed of.

(B. PARVATHI)
COURT MASTER (SH)

(TAPAN KUMAR CHAKRABORTY)
BRANCH OFFICER