

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). 2048 OF 2013 (For preliminary hearing)

BRIJESH SINGH Appellant (s)

VERSUS

SHETH PROPERTIES PVT. LTD. & ORS. Respondent(s)

(With appln(s) for ex-parte stay,exemption from filing O.T.)

Date: 05/03/2013 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR  
HON'BLE MR. JUSTICE M.Y. EQBAL

For Appellant(s)

Mr. K.V. Vishwanathan, Sr.Adv.  
Mr. Abhishek Kumar Singh, Adv.  
Mr. Saurabh Trivedi,Adv.  
Mr. T. Sakthi Kumaran, Adv.

For Respondent(s)

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

Taken on board.  
The appeal is disposed of in terms of the signed order.

(Sukhbir Paul Kaur)  
Court Master

(Indu Bala Kapur)  
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2048 OF 2013

| BRIJESH SINGH

| Appellant(s) |

Versus

| SHETH PROPERTIES PRIVATE LIMITED AND OTHERS

| Respondent(s) |

O R D E R

Taken on board.

We have heard Mr. K.V. Vishwanathan, learned senior counsel for the appellant. Mr. Vishwanathan submits that the observations made by the National Consumer Disputes Redressal Commission that the flat has been sold by the builder are based on a misrepresentation of the facts by respondent No.1. The search report dated 21st February, 2013 provided by Mr. Subhash D. Tigde, Advocate, High Court, Mumbai, on the instructions of the appellant, indicates that Flat No. 201 or 202 and 203 or 204, which are subject matter of the suit, are not recorded to have been sold or transferred to any third party. In our opinion, such a search report cannot be taken into consideration in the present appeal. However, the appellant is at liberty

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to move the National Consumer Disputes Redressal Commission for modification or recall of the order, if so advised.

The appeal is, accordingly, disposed of.

.....J.

(SURINDER SINGH NIJJAR)

.....J.

(M.Y. EQBAL)

New Delhi,

March 05, 2013