

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).6053/2008

(From the judgement and order dated 15/01/2008 in MA No. 13/2006 & RP No. 3323/2004 of The NATIONAL CONSUMERS DISPUTES REDRESSAL COMMISSION, NEW DELHI)

GHAZIABAD DEVELOPMENT AUTHORITY ,U.P.

Petitioner(s)

VERSUS

BRAHMDEO SHAH

Respondent(s)

(With appln(s) for stay and prayer for interim relief and office report)

Date: 01/05/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Vijay Hansaria,Sr.Adv.
Ms. Reena Singh,Adv.
Mr. Devesh Kumar,Adv.
Dr. (Mrs.) Vipin Gupta,Adv.
Mr. Arun Baoil,Adv.

For Respondent(s)
Mr. S. Rajappa,Adv.

UPON hearing counsel the Court made the following
ORDER

Leave granted.
Needless to say that the execution proceedings shall remain stayed till the disposal of the matter by the National Commission.

The appeal is disposed of.

[SUMAN WADHWA]
COURT MASTER

[SHASHI BALA VIJ]
COURT MASTER

Signed order is placed on the file.
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3173 OF 2009
(Arising out of SLP(C) No. 6053/2008)

Ghaziabad Development Authority, U.P.

...Appellant(s)

Versus

Brahmdeo Shah

...Respondent(s)

ORDER

Leave granted.

Challenge in this matter is to the order of the National

Disputes Redressal Commission, New Delhi (in short 'National Commission'). The appellant with reference to the order dated 4/9/2006 in C.A.No. 3901/2006 brought to the notice of the National Commission that a sum of Rs. 15,000/- as cost was to be paid to the respondent which has been paid. The National commission directed that since the market value would come to around Rs.42-45 lakhs as per circle rates, appellant was requested to deposit a sum of Rs.20,00,000/- (Rs.20 lakhs) before the execution proceedings could be stayed.

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Having heard learned counsel for the parties and considering the peculiar facts of the case we direct that without insisting on the deposit as directed by order dated 15.1.2008 the National Commission shall hear the Revision petition No. 3323/2004. Since the matter is pending since long, we request the National Commission to dispose of the matter as early as possible, preferably by the end of October 2009. Needless to say that the execution proceedings shall remain stayed till the disposal of the matter by the National Commission.

The appeal is disposed of.

.....J.
(Dr. ARIJIT PASAYAT)

.....J.
(ASOK KUMAR GANGULY)

New Delhi,
May 1, 2009.