

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

I.A. No. 39162/2017

IN

CIVIL APPEAL Nos. 3779 AND 3940/2004
[C.A. NOS. 3628-3960/2004]

BANGALORE DEVELOPMENT
AUTHORITY

.. APPELLANT(S)

VERSUS

SMT. CHANDRAVATHI

.. RESPONDENT(S)/
APPLICANT

WITH

I.A. No. 135687/2019

IN

CIVIL APPEAL Nos. 3713 AND 3886/2004
[C.A. NOS. 3628-3960/2004]

O R D E R

1. These applications have been filed by the applicants for appropriate directions.
2. In the said applications, the applicants have prayed for leave to withdraw the writ petition(s), which they have filed before the High Court and which had been decided in their favour. The subject-matter of the writ application was the demand made by the Appellant-Authority in regard to sital value, as well

as the interest on the unpaid amounts from the date of allotment of the plots. The Bangalore Development Authority has come up against the order of the High Court which decided the writ petition(s) in favour of the applicants. Despite the fact that the applicants herein succeeded before the High Court, we are informed by learned advocate appearing for the applicants, that the applicants/respondents had ultimately willing to pay the enhanced sital value, as well as interest payable in terms of Rule 13 of the Bangalore Development Authority(Allotment of Site) Rules, 1984. It has also been submitted that since the applicants have accepted the case of the appellant, and are willing to pay the amounts as demanded, nothing further remains to be decided in the appeals, as far as they are concerned. Accordingly, the appeals as far as the applicants are concerned, stand allowed, subject to verification by the appellant-Authority that payments have actually been made and the writ petition(s) filed by Shri Dhananjayappa K.B. and Smt. Chandravathi are permitted to be withdrawn.

3. On the amount being paid, the appellant shall execute the transfer deed(s) within four weeks thereafter.

4. I.A.No. 39162/2017 and I.A. No. 135687/2019
are disposed of, accordingly.

.....J.
[DEEPAK GUPTA]

.....J.
[ANIRUDDHA BOSE]

NEW DELHI,
SEPTEMBER 13, 2019.

ITEM NO.1

COURT NO.13

SECTION IV-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

IA 39162/2017 in Civil Appeal Nos. 3779 and 3940/2004
 [C.A. Nos. 3628-3960/2004]

BANGALORE DEVELOPMENT AUTHORITY

Appellant(s)

VERSUS

SMT. CHANDRAVATHI

Respondent(s)/
APPLICANT(S)

(I.A. No. 39162/ 2017 (Application for direction filed by Mr. Gautam Narayan, Advocate in C.A. Nos. 3779 and 3940/2004) IA No. 39162/2017 - EXTENSION OF TIME)

WITH

I.A. No. 135687/2019 IN C.A. Nos. 3713 AND 3886/2004
 [C.A. NOS. 3628-3960/2004]
 (Appln(s). for directions)

Date : 13-09-2019 These matters were called on
 for hearing today.

CORAM :

HON'BLE MR. JUSTICE DEEPAK GUPTA
 HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Appellant(s)

Mr. S.K. Kulkarni, Adv.
 Mr. M. Gireesh Kumar, Adv.
 Mr. Ankur S. Kulkarni, AOR

For Respondent(s)

Mr. E.C. Vidya Sagar, AOR
 Mr. Subash Chandra Sagar, Adv.

M/S. Nuli & Nuli, AOR

Mrs. Vaijyanthi Girish, AOR

Mrs. K. Sarada Devi, AOR
 Mr. R. Vijay Nandan Reddy, Adv.
 Mr. Amarjeet Singh Dheman, Adv.

Mr. S.N. Bhat, AOR

Mr. P.R. Ramasesh, AOR

Mr. Gautam Narayan, Adv.
Ms. Asmita Singh, Adv.

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

**The appeals as far as the applicants are
concerned are allowed.**

**I.A.No. 39162/2017 and I.A. No. 135687/2019 are
disposed of, accordingly.**

**[CHARANJEET KAUR]
A.R. -CUM-P.S.**

**[RENU KAPOOR]
COURT MASTER**

[Signed order is placed on the file]