

ITEM NO.1501
(For Judgment)

COURT NO.4

SECTION XVII-A

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). 6380/2021

PARSVANATH DEVELOPERS LTD.

Appellant(s)

VERSUS

GAGANDEEP BRAR & ANR.

Respondent(s)

([HEARD BY: HON. M.R. SHAH AND HON. A.S. BOPANNA, JJ.]...FOR
ADMISSION and I.R. and IA No.128279/2020-EXEMPTION FROM FILING C/C
OF THE IMPUGNED JUDGMENT)

WITH

C.A. No. 6382/2021 (XVII-A)
(IA No. 197898/2019 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 107448/2018 - STAY APPLICATION)

C.A. No. 6381/2021 (XVII-A)
(FOR STAY APPLICATION ON IA 107451/2018 FOR PERMISSION TO FILE
ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 197646/2019
IA No. 197646/2019 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 107451/2018 - STAY APPLICATION)

C.A. No. 6383/2021 (XVII-A)
(FOR ADMISSION and I.R. and IA No.127241/2020-EXEMPTION FROM FILING
C/C OF THE IMPUGNED JUDGMENT)

C.A. No. 6385/2021 (XVII-A)
(FOR ADMISSION and I.R. and IA No.129876/2020-EXEMPTION FROM FILING
C/C OF THE IMPUGNED JUDGMENT)

C.A. No. 6384/2021 (XVII-A)
(IA No.129176/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT)

Date : 13-04-2023 These appeals were called on for pronouncement of
judgment today.

For Parties

Mr. Rajesh P., AOR
Mr. Vineet Sinha, Adv.
Mr. Manoranjan Sharma, Adv.
Mr. Deeptanshu Jain, Adv.

Harvinder Chowdhury, AOR
Sarika, Adv.
Jayvardhan, Adv.

Mr. Tarun Gupta, AOR
Ms. Sonam Gupta, AOR
Mr. Anurag Tandon, Adv.
Ms. Jyotsna Punshi, Adv.

Mr. Manish Jha, Adv.
Mr. Divyam Agarwal, AOR
Mr. Kartikey Gupta, Adv.

Mr. Chandra Prakash, AOR

Mrs. Rachana Joshi Issar, AOR

Hon'ble Mr. Justice M.R. Shah has pronounced the reportable judgment of the Bench comprising His Lordship and Hon'ble Mr. Justice A.S. Bopanna.

The operative part of the judgment reads as under -

"Accordingly, in view of the above and for the reasons stated above, the appeals preferred by the Developer - Parsvsnath Developers Limited are hereby partly allowed. The impugned common judgment and order dated 05.02.2020 passed by the National Commission in Appeal Execution No. 4/2016 and other connected Appeal Executions is hereby modified to the extent holding the appellant - developer liable to pay compensation to the respective allottees/buyers/original complainants to the extent of 70% and the liability to pay balance 30% of the compensation in terms of clause 9(c) of the Flat Buyer Agreement would be upon Chandigarh Housing Board.

In view of the above order passed in the appeals preferred by the Developer, no further orders are required to be passed in both the appeals preferred by the Chandigarh Housing Board, i.e., Civil Appeal Nos. 6382/2021 & 6381/2021 except ordering disposal of the said appeals. Ordered accordingly."

Pending applications, if any, stand disposed of.

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
ASSISTANT REGISTRAR

(signed reportable judgment is placed on the file)