

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). 462 OF 2002

UMARKHADI CO-OP. HOUSING SOCIETY LTD.

Appellant (s)

VERSUS

BHASKAR SHANTAWAN TIJORE & ANR.

Respondent(s)

(With office report)

Date: 22/02/2005 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN
HON'BLE MR. JUSTICE A.K. MATHUR

For Appellant(s)

Mr. Uday U. Lalit, Sr. Adv.
Mr. Nikhil M. Sakhardande, Adv.
Mr. A.V.Palli, Adv.
Mr. Ashim Sood, Adv.
Mrs.Rekha Palli,Adv.

For Respondent(s) Mr. Amitabh Verma, Adv.

No.1 Mr. R.S. Suri,Adv.
Mr. V.K. Shailendra, Adv.

For R-2

Mr. Sushil Karanjakar, Adv.
Mr. Venkateswara Rao Anumolu ,AdvUPON hearing counsel the Court made the following
O R D E R

Appeal is dismissed in terms of the signed order.

(Parveen Kr. Chawla)
Court Master(Kanwal Singh)
Court Mast

er

[Signed Order is placed on the File]
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.462 OF 2002

Umarkhadi Co-op. Housing Society Ltd.

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Bhaskar Shantawan Tijore & Anr.

Respondent (s)

O R D E R

By the impugned order the High Court has restored the allotment of the flat No. 46 on the 7th Floor to respondent No.1 subject to the payment of the amount due along with interest. The flat was cancelled by the appellant co-operative housing society for default in making payment of a partly amount of Rs, 8,097/-. Respondent No.1 was the founding member of the appellant society. Bulk of the payment had already been made. The dispute was about the charging of increased price which was arguable. We agree with the view taken by the High Court. High Court has done substantial justice between the parties. We decline to interfere in the matter in exercise of our jurisdiction under Article 136 of the Constitution of India.

The Civil Appeal is dismissed with no order as to costs.

J.

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 (ASHOK BHAN)

New Delhi;
 .J.
 February 22, 2005.

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 (A.K. MATHUR)