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C.A.No. 5694 OF 1999
ITEM NO.114

COURT NO.2

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL NO. 5694 OF 1999

RAJASTHAN HOUSING BOARD

Appellant (s)

VERSUS

D.G.(I&R) MRTP COMMN.,N.DELHI
(With appln. for stay)

Respondent(s)

Date: 26/04/2005 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE S.B. SINHA

For Appellant(s)Mr. Narottam Vyas,Adv.
Mr. B.D. Sharma,Adv.

For Respondent(s)Mr. S. Wasim A. Qadri,Adv.
Mr. D.S. Mahra,Adv.
Mr. B. Krishna Prasad,Adv.

Mr. Varinder Kumar Sharma,Adv.

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

The appeal is dismissed in terms of the signed order.

(Neena Verma) (Prem Prakash)
Court Master Court Master

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

CIVIL APPEAL NO.5694 OF 1999

Rajasthan Housing Board
...Appellant

Versus

The Director General (Investigation & Registration), MRTP Commission, New Delhi
...Respondent

O R D E R

This appeal is only an exercise in futility.

The M.R.T.P. Commission, New Delhi, while entertaining a complaint against the appellant gave the following directions:-

"8.In view of the aforesaid discussion, there is no escape from the conclusion that the respondent has adopted and indulged in restrictive and unfair trade practices qua the informant/comp

complainant and these practices are prejudicial to his interest and to the public interest and particularly the interest of all others who booked flats like him in 1981 and whose payment plans have been changed unilaterally resulting in imposition of unjustified cost on them." The respondent-complainant not having come forward to claim any relief based on the above observations. These observations remain in the nature of instructions to be followed by the appellant - Board in future. The law in this regard is now settled by a judgment of this Court in the case of Rajasthan Housing Board Vs. Parvati Devi (2000 (6) SCC 104). Since, there is no specific order in favour of any allottee or individual, we do not think it is necessary for us to entertain this appeal. Hence, the appeal is dismissed.

(N. SANTOSH HEGDE)

.....J.

.....J.
(S.B. SINHA)

New Delhi,
April 26, 2005.