

ITEM NO.47

COURT NO.6

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(s). 6923/2021

RG LUXURY HOMEBUYERS ASSOCIATION (REGD.)

Appellant(s)

VERSUS

RAJESH GOYAL & ORS.

Respondent(s)

IA No. 112647/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT, IA No. 33437/2022 - INTERVENTION/IMPLEADMENT
IA No. 18603/2022 - INTERVENTION/IMPLEADMENT
IA No. 4177/2022 - INTERVENTION/IMPLEADMENT
IA No. 1607/2022 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 112645/2021 - STAY APPLICATION)

Date : 03-01-2023 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Appellant(s) Mr. M L Lahoty, Adv.
Mr. Anchit Sripat, Adv.
Mr. Paban K Sharma, Adv.
Mr. Himanshu Shekhar, AOR

For Respondent(s) Mr. Mukul Rohatgi, Sr. Adv.
Mr. Rohit K. Singh, AOR
Mr. Saurabh Jain, Adv.

Mr. K.V. Vishwanathan, Sr. Adv.
Mr. Kumar Mihir, AOR
Mr. A. Maheshwari, Adv.
Mr. Arnav Kumar, Adv.

Mr. Rudreshwar Singh, Adv.
Mr. Kaushik Poddar, AOR
Ms. Isha Singh, Adv.

Mr. Abhishek Vikram, AOR
Mr. Vedant Singh, AOR

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

We have heard learned counsel for the parties for quite some time.

It is informed to this Court that total 09 towers were under construction with 1920 flats to come up. However, in reference to 07 towers after completion for obtaining occupation certificate application has been filed in the office of the Greater Noida Authority on 02.08.2022/15.11.2022 and they are awaiting the occupation certificate to be issued from the competent authority (Greater Noida Authority).

Learned counsel submits that efforts have been made and whatever the deficiencies have been pointed out they have taken initiative to remove those deficiencies but since they are unable to obtain the occupation certificate from the competent authority there is a reason for which they are unable to handover possession to the home-buyers/appellants before this Court.

Without going into merits of the submissions made any further, we consider appropriate to direct the Chief Executive Officer of the Greater Noida Authority to look into the applications dated 02.08.2022/15.11.2022 which have been submitted by the respondents/promoters personally and take appropriate decision in accordance with law within a period of 30 days from today.

We may, however, make it clear that what is required under the law has to be complied with by the respondents/promoters for seeking occupation certificate.

Let a copy of this order be sent to the Chief Executive

Officer, Greater Noida Authority for necessary compliance.

List on 07.02.2023.

**(VIRENDER SINGH)
BRANCH OFFICER**

**(ASHWANI KUMAR)
ASTT. REGISTRAR-cum-PS**