

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). 6923/2021

RG LUXURY HOMEBUYERS ASSOCIATION (REGD.)

Appellant(s)

VERSUS

RAJESH GOYAL & ORS.

Respondent(s)

(IA No. 92541/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 222137/2023 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 112647/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT
IA No. 188438/2024 - EXEMPTION FROM FILING O.T.
IA No. 222123/2023 - INTERVENTION APPLICATION
IA No. 164916/2023 - INTERVENTION/IMPLEADMENT
IA No. 33437/2022 - INTERVENTION/IMPLEADMENT
IA No. 18603/2022 - INTERVENTION/IMPLEADMENT
IA No. 1607/2022 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES
IA No. 112645/2021 - STAY APPLICATION)

Date : 13-12-2024 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Appellant(s)

Mr. M L Lahoty, Adv.
Mr. Paban K. Sharma, Adv.
Mr. Pranab Kumar Nayak, Adv.
Mr. Arvind Kumar, Adv.
Mr. Himanshu Shekhar, AOR

For Respondent(s)

Mr. Paramjit Singh Patwalia, Sr. Adv.
Mr. Saurabh Jain, Adv.
Mr. Prayag Jain, Adv.
Mr. Rohit K. Singh, AOR

Mr. Siddharth Dave, Sr. Adv.
Mr. Abhindra Maheshwari, Adv.
Mr. Kumar Mihir, AOR

Mr. Ravindra Kumar, Sr. Adv.
Mr. Binay Kumar Das, AOR
Ms. Priyanka Das, Adv.
Ms. Neha Das, Adv.
Mr. Shivam Saxena, Adv.

Mr. Rudreshwar Singh, Sr. Adv.
Mr. Kaushik Poddar, AOR
Mr. Sagar Chauhan, Adv.

Ms. Shriya Maini, AOR
Mr. Rajive Maini, Adv.

Mr. Mks Menon, Adv.
Ms. Malini Poduval, Adv.
Ms. Usha Nandini V., AOR
Mr. John Thomas Arakal, Adv.

Mr. Chand Qureshi, AOR
Mr. Pradeep Mohod, Adv.
Mr. Jitender Khurana, Adv.
Mr. Vaibhav Aggarwal, Adv.
Ms. Gursheen Kaur, Adv.
Ms. Priyanshi Goel, Adv.
Mr. S.k.mehta, Adv.
Mr. Aakash Goswami, Adv.

Mr. Vedant Singh, AOR

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

We have perused the affidavit of the first
respondent dated 12th December, 2024.

The learned senior counsel appearing for the first
respondent, on instructions, states that the
documentation and the payment part as regards 5 persons
mentioned in paragraph 4 of the affidavit dated 16th
October, 2024 has been completed and what remains is
handing over possession of the flats to them after the
same are made ready.

We have perused paragraph 3 of the said affidavit 12th December, 2024. We direct that as regards 452 home buyers mentioned in serial No.2 of the table in paragraph No.3, the possession of the respective flats shall be handed over within a period of 60 days from today.

As regards 235 home buyers mentioned in serial No.3 of the table, we direct that the possession of the respective flats shall be handed over to them within 70 days from the date of the final payment and execution of the documents.

As a final chance, we grant an opportunity to the allottees of Towers A, B, C and M to remain present at the site on 11th and 25th January, 2025 to complete the payment and other formalities.

An affidavit as regards the remaining home buyers shall be filed by the first respondent by 3rd February, 2025. In the affidavit, the first respondent will also state the progress made in completion of construction in respect of towers G and H.

As regards towers D, E and F, occupation certificate has been granted by the Development Authority on 12th November, 2024. Therefore, we direct that the process of handing over possession of the flats in the said three towers to the home buyers shall commence immediately.

We direct the allottees of the flats in towers D, E and F to remain present at the site of the towers between 20th to 24th January, 2025 for completing all the formalities including making payments and execution of the documents.

List on 7th February, 2025 to consider further compliances.

As stated by the learned senior counsel appearing for the first respondent, the allottees of towers A, B, C, D, E, F and M can approach the first respondent at any time on any working day.

We, however, make it clear that as regards the allottees of towers A, B, C, and M, the allottees must approach the first respondent on or before 3rd February, 2025, failing which order of cancellation of allotment will have to be passed.

(ANITA MALHOTRA)
AR-CUM-PS

(ANU BHALLA)
COURT MASTER