

ITEM NO.31

COURT NO.12

SECTION XVII-A

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

Petition(s) for Special Leave to Appeal (C) No(s). 12832-12833/2015

(Arising out of impugned final judgment and order dated 02-12-2014 in RP No. 2048/2014 17-02-2015 in RA No. 26/2015 17-02-2015 in RP No. 2048/2014 passed by the National Consumers Disputes Redressal Commission, New Delhi)

GULAB S DHANWADE

Petitioner(s)

VERSUS

OM KHEMRAJ GAHLOT

Respondent(s)

([ONLY SLP(C)NO. 13804-13805/2015 TO BE LISTED])

WITH

SLP(C) No. 13804-13805/2015 (XVII-A)

Date : 11-07-2022 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s) Mr. Prashant S. K., Adv.
Mr. Ashutosh Chaturvedi, Adv.
Mr. Rakesh K. Sharma, AOR

For Respondent(s) Mr. K.P. Sundar Rao, Adv.
Mr. Sanjeev Kumar, Adv.
Mr. Wajeeh Shafiq, AOR

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

SLP(C) No(s). 12832-12833/2015

It is not disputed that Flat No. B-103(338 sq. ft.) was booked by the petitioner on 06.03.2001 and the entire sum was deposited in terms of the agreement in the year 2003. The carpet area of the flat as per Commissioner's report is 339.37 sq. ft. which is one square feet more than the measurement recorded in the agreement entered into between the parties.

Before we proceed with the matter any further, let the

respondent shall handover the vacant possession of the Flat No. B-103 to the petitioner after restoring the electricity and water connection within a period of four weeks from today as agreed upon.

Rest of the grievance shall be considered in the next date of hearing.

List the matter on 23.08.2022.

SLP(C) No. 13804-13805/2015

The dispute is in reference to Flat No. B-302 measuring 340 sq. ft booked by the petitioner by executing an agreement. It is not disputed that against a sum of Rs. 4,60,000/-, Rs. 4,50,000/- was paid by the petitioner. The dispute, inter alia, at present is that who is in possession out of the litigating parties.

Learned counsel for the petitioner, on instructions, informs that the petitioner is not in possession. Learned counsel for the respondent submits that the possession was handed over to the petitioner and he has made certain developments/improvements in the flat in question.

Looking to the disputed question in reference to the said flat that who is in possession out of the litigating parties, this Court deems it appropriate to grant permission to the respondent to put his own keys on the flat in question and report to this Court on the next date of hearing.

List the matter on 23.08.2022.

(BEENA JOLLY)
COURT MASTER (NSH)

(ASHWANI THAKUR)
ASTT. REGISTRAR-cum-PS