

**IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION**

**Civil Appeal No \_\_\_\_\_ of 2021**  
**(D No 10196 of 2020)**

**Avnish Kumar Chanana**

**.... Appellant(s)**

**Versus**

**DLF Universal Limited & Anr**

**....Respondent(s)**

**ORDER**

1 Delay condoned.

2 The appeal arises from a judgment of the National Consumer Disputes Redressal Commission<sup>1</sup> dated 3 January 2020.

3 On 14 December 2020, a three-Judge Bench of this Court comprising, *inter alia*, of one of us (Dr Dhananjaya Y Chandrachud, J) disposed of Civil Appeal Nos 3864-3889 of 2020<sup>2</sup> filed by the developer against the same judgment of the NCDRC in the following terms:

“11 Accordingly, we allow the appeals in part to the following extent:

- (i) The compensation on account of delay in handing over possession of the flats to the flat buyers is reduced from 7% to 6%; and
- (ii) The direction for the refund of parking charges and club charges and interest on these two components shall stand set aside.

12 We clarify that the directions of the NCDRC are upheld,

1 “NCDRC”

2 **DLF Home Developers Ltd (Earlier Known as DLF Universal Ltd) v Capital Greens Flat Buyers Association**

save and except, for the above two modifications in terms of clauses (i) and (ii) above. The payment at the rate of 6% per annum shall be made after making due adjustments for the compensation for delay at the contractual rate (where it has been paid in terms of the agreement to the flat purchasers). The order shall be complied with within a period of two months from today.

13 The Civil Appeals are partly allowed in the above terms.”

4 In view of the above decision, the present Civil Appeal shall stand disposed of.

5 Mr Purvish Jitendra Malkan, learned counsel appearing on behalf of the appellant, submits that though under the order of the NCDRC dated 3 January 2020, compliance was directed to be effected within a period of three months and by the order of this Court dated 14 December 2020, time for compliance was fixed as two months, the developer has not executed a conveyance.

6 In view of the above grievance, the appellant would be at liberty to take recourse to such remedies as are available in law.

7 Pending application, if any, stands disposed of.

.....J.  
**[Dr Dhananjaya Y Chandrachud]**

.....J.  
**[M R Shah]**

**New Delhi;**  
**February 23, 2021**  
**-S-**

ITEM NO.2 Court 6 (Video Conferencing) SECTION XVII-A

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

CIVIL APPEAL Diary No(s).10196/2020

(Arising out of impugned final judgment and order dated 03-01-2020 in CC No. 1084/2017 passed by the National Consumer Disputes Redressal Commission, New Delhi)

AVNISH KUMAR CHANANA

Appellant(s)

VERSUS

DLF UNIVERSAL LIMITED & ANR.

Respondent(s)

(WITH IA No.74822/2020-CONDONATION OF DELAY IN FILING and IA No.74825/2020-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 23-02-2021 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s) Mr. Purvish Jitendra Malkan, Adv.  
Ms. Dharita P Malkan, Adv.  
Ms. Deepa Gorasia, Adv.  
Mr. Alok Kumar, Adv.  
Ms. Neha Ambashtha, Adv.  
Ms. Bhavna Sarkar, Adv.  
Ms. Khushboo Vinodray Malkan, AOR

For Respondent(s) Mr. Mithu Jain, AOR

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

- 1 Delay condoned.
- 2 The appeal is disposed of in terms of the signed order.
- 3 Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)  
AR-CUM-PS

(SAROJ KUMARI GAUR)  
COURT MASTER

(Signed order is placed on the file)