

IN THE SUPREME COURT OF INDIA

INHERENT JURISDICTION

Contempt Petition (Civil) No 247 of 2021

IN

Civil Appeal No 1873-1878 of 2020

Swaroop S Prakash & Ors

... Petitioners

Versus

**Mr Avinash Prabhu, Managing Director,
M/s Skyline Construction and Housing Pvt Ltd & Anr**

... Respondents

WITH

Miscellaneous Application No 1780 of 2022

IN

Contempt Petition No 246 of 2021

AND

Miscellaneous Application No 1782 of 2022

IN

Contempt Petition No 251 of 2021

AND

Miscellaneous Application No 1783 of 2022

IN

Contempt Petition (C) No 250 of 2021

and

Miscellaneous Application No 1785/2022

IN

Contempt Petition No 249/2021

O R D E R

Contempt Petition (C) No 247/2021 in CA No 1873-1878/2020 and MA No 1780/2022 in Contempt Petition No 246/2021, MA No 1782/2022 in Contempt Petition No 251/2021, MA No 1783/2022 in Contempt Petition (C) No 250/2021 and MA No 1785/2022 in Contempt Petition No 249/2021

1 In the order of this Court dated 26 February 2023, it was recorded that the dispute is settled with 13 of the home buyers. The updated position as of date is that a total of 16 home buyers have entered into settlements with the developer. Part payments have been made to them, while the balance is payable in installments due on 30 April 2023, 30 May 2023 and 30 June 2023.

2 Mr Avinash Prabhu, one of the Directors of the developer is personally present in the Court and tenders an undertaking that the payments due on 30 April 2023, 30 May 2023 and 30 June 2023 shall be duly made on schedule. The undertaking is accepted.

3 As regards the remaining two home buyers, it has been stated that since they are situated outside India, the process to enter into settlement is taking some time. However, Mr Balaji Srinivasan, learned counsel appearing on behalf of the developer states that the developer is ready and willing to offer the same terms of settlement as offered to all the other home buyers.

4 In the above facts, we do not consider it expedient in the interest of justice to get the Contempt Petition pending any further.

5 The Contempt Petition and the Miscellaneous Applications are accordingly disposed of however, granting liberty to apply for revival, should the need arise in future.

CP No 247/ 2021

6 Pending applications, if any, stand disposed of.

MA No 1987/2022 in CA No 1873-1878/2020

7 List the Miscellaneous Application on 6 April 2023.

.....CJI.
[Dr Dhananjaya Y Chandrachud]

.....J.
[Pamidighantam Sri Narasimha]

.....J.
[J B Pardiwala]

**New Delhi;
March 20, 2023**
GKA

ITEM NO.25

COURT NO.1

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

CONMT.PET.(C) No. 247/2021 in C.A. No. 1873-1878/2020

SWAROOP S PRAKASH & ORS.

Petitioner(s)

VERSUS

MR. AVINASH PRABHU, MANAGING DIRECTOR,
 M/S SKYLINE CONSTRUCTION AND HOUSING PVT LTD. & ANR. Respondent(s)

(FOR ADMISSION)

WITH

MA 1780/2022 in CONMT.PET.(C) No. 246/2021 in C.A. No. 1873-1878/2020 (XVII-A)
 (FOR ADMISSION and IA No.102265/2022-APPLICATION FOR REVIVAL)

MA 1782/2022 in CONMT.PET.(C) No. 251/2021 in C.A. No. 1869/2020 (XVII-A)
 (FOR FOR AMENDMENT IN PRAYER ON IA 102292/2022)

MA 1783/2022 in CONMT.PET.(C) No. 250/2021 in C.A. No. 1873-1878/2020 (XVII-A)
 (FOR AMENDMENT IN PRAYER ON IA 102284/2022 102284)

MA 1785/2022 in CONMT.PET.(C) No. 249/2021 in C.A. No. 1873-1878/2020 (XVII-A)
 (FOR AMENDMENT IN PRAYER ON IA 102274/2022)

MA 1987/2022 in C.A. No. 1873-1878/2020 (XVII-A)
 (FOR ADMISSION and IA No.160667/2022-APPROPRIATE ORDERS/DIRECTIONS)

Date : 20-03-2023 This petition was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
 HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
 HON'BLE MR. JUSTICE J.B. PARDIWALA

For Petitioner(s) Ms. Archana Sahadeva, AOR

Mr. Sahil Sethi, Adv.
Ms. Nikita Sharma, Adv.
Ms. Arushi Mann, Adv.
Ms. Anukriti Pareek, AOR

Mr. Rajiv Shankar Dvivedi, AOR

For Respondent(s) Mr. Rajiv Shankar Dvivedi, AOR

Mr. Sahil Sethi, Adv.
Ms. Nikita Sharma, Adv.
Ms. Arushi Mann, Adv.
Ms. Anukriti Pareek, AOR

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

Contempt Petition (C) No 247/2021 in CA No 1873-1878/2020 and MA No 1780/2022 in Contempt Petition No 246/2021, MA No 1782/2022 in Contempt Petition No 251/2021, MA No 1783/2022 in Contempt Petition (C) No 250/2021 and MA No 1785/2022 in Contempt Petition No 249/2021

- 1 The Contempt Petition and the Miscellaneous Applications are disposed of in terms of the signed order however, granting liberty to apply for revival, should the need arise in future.
- 2 Pending applications, if any, stand disposed of.

MA No 1987/2022 in CA No 1873-1878/2020

- 7 List the Miscellaneous Application on 6 April 2023.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(SAROJ KUMARI GAUR)
ASSISTANT REGISTRAR
(Signed order is placed on the file)