

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.4591 OF 2022

M/S PUREARTH INFRASTRUCTURE LTD.

APPELLANT

VERSUS

SUNIL KOHLI & ANR.

RESPONDENTS

ORDER

This statutory appeal under the provisions of the Consumer Protection Act, 1986 (“the Act” for short) is directed against the judgment and order dated 24.11.2021 passed by the National Consumer Disputes Redressal Commission, New Delhi (“the National Commission” for short) in Consumer Case No.62 of 2013.

The matter had initially come up before this Court on the issue whether the respondent herein could be said to be “consumer” within the meaning of the Act and the controversy was set at rest by the decision of this Court in Civil Appeal Nos.9004-9005 of 2018.

Since the facts were set out in *extenso* in that judgment, we refrain from setting out the facts in the instant order.

After restoration of complaint, the matter was gone into by the National Commission and accepting the submissions made on behalf of the respondent, following directions were passed by the National Commission:

“In view of the aforementioned discussions, the complaint is

allowed with cost of Rs.One Lakh. The Builder is directed to return entire money deposited by the complainants along with interest @ 9% per annum from the date of each deposit till actual payment. Aforesaid directions be complied with within two months from the date of judgment failing which, the builder shall be liable to pay interest @ 12% per annum after expiry of two months.”

Having heard learned counsel for the parties, in the peculiar facts and circumstances of the case, we see no reason to entertain this civil appeal.

The Civil Appeal is, accordingly, dismissed without any order as to costs.

.....J.
(UDAY UMESH LALIT)

.....J.
(S. RAVINDRA BHAT)

New Delhi,
July 29, 2022.

ITEM NO.4

COURT NO.2

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 No.4591/2022

M/s. PUREARTH INFRASTRUCTURE LTD.

Appellant(s)

VERSUS

SUNIL KOHLI & ANR.

Respondent(s)

(IA No.87152/2022 - FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT; IA No.87154/2022 - FOR STAY; and, IA No.87153/2022 - FOR EXEMPTION FROM FILING O.T.)

Date : 29-07-2022 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Appellant(s) Mr. K.V. Vishwanathan, Sr. Adv.
 Mr. Aman Gupta, AOR
 Mr. Dheeraj Trikha, Adv.
 Ms. Divya Gupta, Adv.

For Respondent(s) Mr. Pallav Sishodia, Sr. Adv.
 Mr. Navdeep Singh, Adv.
 Mr. Ravi Mehrotra, Adv.
 Mr. R.K. Sinha, Adv.
 Mr. Nikhil Jain, AOR

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

The Civil Appeal is dismissed, in terms of the Signed Order placed on the file.

Pending applications, if any, also stand disposed of.

(MUKESH NASA)
AR-cum-PS

(VIRENDER SINGH)
BRANCH OFFICER