

ITEM NO.2

COURT NO.12

SECTION XVII

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). 39892/2023

(Arising out of impugned final judgment and order dated 29-05-2023 in CC No. 1913/2017 passed by the National Consumers Disputes Redressal Commission, New Delhi)

SWARNPREET KAUR & ANR.

Appellant(s)

VERSUS

DLF HOME DEVELOPERS LTD.

Respondent(s)

(IA No.236267/2023-CONDONATION OF DELAY IN FILING and IA No.235110/2023-CONDONATION OF DELAY IN REILING / CURING THE DEFECTS and IA No.236269/2023-APPLICATION FOR PERMISSION)

Date : 05-12-2023 This appeal was called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

For Petitioner(s) Mr. Jayant Mehta, Sr. Adv.
Ms. Abiha Zaidi, AOR
Ms. Suriti Chowdhary, Adv.
Mr. Anuj Bhawe, Adv.
Mr. Udit Dedhiya, Adv.
Mr. Naman Basoya, Adv.

For Respondent(s)

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

1. The judgment dated 29th May, 2023 passed by the National Consumer Disputes Redressal Commission, New Delhi¹ partly allowing the Consumer Complaint² filed by the appellants has been assailed by them on

1 For short 'NCDRC'

2 Consumer Case No.1913 of 2017

several grounds, two of them being that despite the fact that there is completion certificate issued in respect of the subject project constructed by the respondent-developer, there is still no independent water supply to the flats in the project and further that the road wrongly described as a sector road in the brochure printed by the respondent was actually private land owned by some farmers and was never acquired.

2. It is submitted by learned Senior counsel appearing for the appellants that despite directions issued by the NCDRC calling upon the respondent-developer to acquire the private land through HUDA within six months, the same has not been acquired and as per the Minutes dated 29th August, 2023 and it has been stated that the said land cannot be acquired as there is no such policy to acquire private land from a farmer except under the extant TDR policy. Resultantly, there is no access road to the project in question.

3. Delay condoned.

4. Issue notice.

(Geeta Ahuja)
Assistant Registrar-cum-PS

(Nand Kishor)
Court Master (NSH)