

+SLP(C) 32068/2016

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ITEM NO.1+56

COURT NO.2

SECTION XIV

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

Petition(s) for Special Leave to Appeal (C) No.32068/2016  
(Arising out of impugned final judgment and order dated 03/10/2016  
in CA No. 18/2016 passed by the High Court of Delhi at New Delhi)  
UTTARA BABBAR AND ANR. Petitioner(s)

VERSUS

NAMIT MALHOTRA AND ORS. Respondent(s)  
(With appln. (s) for permission to place addl. documents on record,  
permission to file additional documents and interim relief and  
office report)

WITH S.L.P.(C) Nos.34225-34226/2016

(With interim relief and office report)

S.L.P.(C) Nos.37924-37925/2016

(With interim relief and office report)

S.L.P.(C) No.35354/2016

(With interim relief and office report)

S.L.P.(C) Nos.37398-37399/2016

(With appln.(s) for modification of Court's Order and office  
report)

C.A. No.2971/2016

(With appln.(s) for ad-interim ex-parte stay and office report)

Date : 05/05/2017 These petitions were called on for hearing today.

CORAM :

HON&#39;BLE MR. JUSTICE DIPAK MISRA

HON&#39;BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Petitioner(s) Ms. Uttara Babbar, Petitioner-in-person  
Ms. Vandana Sehgal, AOR

Mr. M.L. Lahoty, Adv.

Mr. Paban K. Sharma, Adv.

Mr. Himanshu Shekhar, AOR

Mr. M.S. Ganesh, Sr. Adv.

Mr. Seshachary Komanduri, Adv.

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Mr. Anant Kumar Vatsya, Adv.

Mr. Rishi Chawla, Adv.

Mr. Ghanshyam, Adv.

Mr. Devendra Singh, AOR

For Respondent(s)

Mr. Sarvam Ritam Khare, AOR

Mr. Abhimanyu Bhandari, Adv.

Ms. Natasha Garg, Adv.

Mr. Rajiv Virmani, Adv.

Ms. Unnati Mishra, Adv.

Mr. Ashok K. Mahajan, AOR

Dr. A.M. Singhvi, Sr. Adv.

Mr. Mahesh Agarwal, Adv.

Mr. Abhimanyu Bhandari, Adv.

Mr. Abhinav Agrawal, Adv.

Mr. Rajiv Virmani, Adv.

Ms. Unnati Mishra, Adv.

Mr. E. C. Agrawala, AOR

Mr. M.L. Lahoty, Adv.

Mr. S.S. Ray, Adv.

Mr. Ajay Sondhi, Adv.

Mr. Abhinav Dhingra, Adv.

Ms. Rakhi Ray, Adv.

Ms. Indu Malhotra, Sr. Adv.

Mr. Abhijat, Adv.

Dr. Saif Mehmood, Adv.

Mr. Pratyush Sharma, Adv.

Mr. Sarvesh Singh, Adv.

Mr. Rahul Kumar, Adv.  
Mr. Jay Kishor Singh, Adv.  
Ms. Nandadevi Deka, Adv.  
Mr. Devesh Tripathy, Adv.

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

S.L.P.(C) No.32068/2016

The petitioner No.1, who is appearing in-person, submits that both the petitioners have been refunded the amount.

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In view of the aforesaid submission, we do not intend to go into the justifiability of the order passed by the High Court of Delhi in Company Appeal No.18 of 2016. In the present special leave petition, be it noted, the order passed in the Company Appeal by the learned Company Judges, has been stayed in other special leave petitions. Therefore, there is no impediment in disposal of the present special leave petition.

The application for impleadment which has been filed in the present special leave petition is permitted to be withdrawn so that the applicants therein can agitate their claim before the appropriate forum. The interlocutory application is permitted to be withdrawn.

The special leave petition and the interlocutory application stand disposed of. There shall be no order as to costs.

The order passed in the present special leave petition shall also be applicable in the interlocutory application filed by Ms. Rakhi Ray, learned counsel for the applicants.

S.L.P.(C) No.34225-34226/2016 & 37398-37399/2016

Having heard learned counsel for the parties, it is directed that the National Consumer Disputes Redressal Commission, New Delhi, shall dispose of the complaints filed by the petitioners in the present special leave petitions, within eight weeks hence. Be it noted, we have directed the National Commission to dispose of the complaints within eight weeks, as we have completely stayed the order passed by the learned Company Judges.

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List the special leave petitions after ten weeks.

S.L.P.(C) Nos.37924-37925/2016 & 35354/2016

It is submitted by Mr. M.S. Ganesh, learned senior counsel appearing for the petitioners that they want to take possession of the flats.

In view of the aforesaid, let these special leave petitions in the first week of August, 2017.

C.A. No.2971/2016

Learned counsel appearing for the appellants submits that he has given 75% of the entire compensation amount and some time will be taken for getting the occupancy certificate.

In view of the aforesaid, let the matter be listed in the second week of August, 2017.

The Managing Director and all the Directors of the UNITECH Limited, who were directed to remain personally present today, shall also remain personally present before this Court on 8<sup>th</sup>

May, 2017.

(Chetan Kumar)

Court Master (H.S. Parasher)

Court Master