

A

D.D.A.

v.

BHAVANA COOP. GROUP HOUSING SOCIETY LTD.

AUGUST 24, 1995

B

[K. RAMASWAMY AND B.L. HANSARIA, JJ.]

Delhi Development Authority—Forfeiture of deposit—Upheld to the extent of Rs. 5 lakhs—Refund of balance amount to Housing Society—Directions for—Issued.

C

Allowing the appeal against the High Court's judgment, this Court

HELD : Forfeiture to the extent of Rupees five lakhs is upheld. The appellant authority shall refund the remaining amount to the respondent. [56-H; 57-A]

D

D.D.A. v. Grihsthapana Cooperative Group Housing Society Ltd., JT (1995) 2 S.C. 530, relied on.

CIVIL APPELLATE JURISDICTION : Civil Appeal No. 7932 of 1995.

E

From the Judgment and Order dated 17.8.94 of the Delhi High Court in C.W.P. No. 4530 of 1993.

V.B. Saharaya for the Appellant.

F

Ms. Sangeeta Kalra and Sudhir Kalra (In-person) for the Respondents.

The following Order of the Court was delivered :

G

Leave granted.

Ms. Sangeeta Kalra and Mr. Sudhir Kalra appeared on behalf of the Society. In view of the judgment of this Court in *D.D.A. v. Grihsthapana Cooperative Group Housing Society Ltd., JT (1995) 2 SC 530*, the appeal is allowed and forfeiture to the extent of rupees five lakhs is upheld. The remaining amount would be refunded by the appellant within a period of

H

four weeks from today, failing which the respondent would be entitled for A
interest @ 18% per annum from that date till payment. In the facts and
circumstances of the case, we make no order as to costs.

T.N.A.

Appeal allowed.