

SUPREME COURT OF INDIA

Bal Krishan

Vs.

Vice Chairman, D.D.A

C.A.No.1038 of 2009

(B.N. Agrawal and G.S. Singhvi JJ.)

13.02.2009

ORDER

1. Leave granted.
2. Heard learned counsel for the parties.
3. The only grievance of the appellant is that while disposing of the Letters Patent Appeal filed by him against the orders passed by the learned Single Judge dismissing the writ petition and review petition filed by him in the matter of handing over possession of the plot allotted by the Delhi Development Authority, the Division Bench of the High Court ignored the fact that the entire cost of the plot had been deposited by him on 5th October, 1999 in terms of the decision of the Lok Adalat and gave the following directions:

“The appellant will also abide by the said order and pay the balance amount in equated monthly installments without interest with the last installments due and payable on 10.07.09. Amount payable in the monthly installments will be communicated to the appellant by the DDA within four weeks from today and the appellant will start paying the said installments w.e.f. 01.07.07.”
4. Learned counsel appearing on behalf of the respondent stated that he is not in a position to show whether any amount was payable by the appellant towards the price of the plot. This being the position, the above reproduced direction cannot be sustained.
5. Accordingly, the appeal is allowed in part and the aforesaid direction given in the impugned order is hereby set aside.