

SUPREME COURT OF INDIA

H.U.D.A.

Vs.

Sneh Lata Tewari

C.A.Nos.3693-3694 of 2007

(Deepak Verma and K.S. Radhakrishnan JJ.)

11.06.2010

ORDER

1. Heard the learned counsel for the parties.

2. Haryana Urban Development Authority feeling aggrieved by the order dated 28.9.2004 passed by the National Consumer Disputes Redressal Commission, New Delhi in First Appeal No. 791/2003, preferred by the respondent herein, and First Appeal No. 57/2004, preferred by the appellant against the order of the State Commission, is before us challenging the same on various grounds.

3. Before we commenced the hearing, learned counsel for the respondent informed us that amounts awarded by the State Commission have already been paid to the respondent by the appellant, together with interest accrued thereon. Thus, he contended, nothing survives in these appeals.

4. For want of instructions, learned counsel for the appellant was not able to controvert the said averment.

5. However, even after going through the impugned order passed by the National Consumer Disputes Redressal Commission, New Delhi, we find no illegality or perversity in the same. Admittedly, there has been a deficiency of service on the part of the appellant and therefore, the appellant has been directed to pay certain amounts to the respondent which have been worked out in the impugned order. Apart from this, the appellant has also been directed to pay to the respondent a sum of Rs.1 lakh for mental agony, along with other reliefs, as she was made to suffer for a long period and was put to great humiliation.

6. The respondent was allotted a piece of plot in Kurukshetra, Haryana, by the appellant on 4.5.1981. The said plot was later on exchanged with another plot and was permitted by the appellant. The site plan thereof was approved only on 30.7.1984. After completing all formalities, second site plan was approved in the year 2004, that is to say, after a period of

almost 20 years from the date of approval of the first site plan. The suit filed by the respondent was decreed by the Trial Court on 12.9.1995 against the respondent. In the light of these facts, there is no merit and substance in the appeals.

7. For the aforesaid reasons, these appeals are dismissed. However, in the facts and circumstances of this case, there shall be no order as to costs.