

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.7041 OF 2015
(Arising out of SLP © NO.17903 of 2013)

INDORE DEVELOPMENT AUTHORITY PETITIONER

VERSUS

ATUL TIWARI & ANR. RESPONDENTS

WITH

CIVIL APPEAL NO.7042 OF 2015
(Arising out of SLP © NO.17911 of 2013)

WITH

CIVIL APPEAL NO.7043 OF 2015
(Arising out of SLP © NO.17916 of 2013)

WITH

CIVIL APPEAL NO. 7044 OF 2015
(Arising out of SLP © NO.18084 of 2013)

WITH

CIVIL APPEAL NO.7045 OF 2015
(Arising out of SLP © NO.18138 of 2013)

WITH

CIVIL APPEAL NO.7046 OF 2015
(Arising out of SLP © NO.18142 of 2013)

WITH

CIVIL APPEAL NO.7047 OF 2015
(Arising out of SLP © NO.18148 of 2013)

WITH

CIVIL APPEAL NO 7048 OF 2015
(Arising out of SLP © NO.18350 of 2013)

WITH

CIVIL APPEAL NO 7049 OF 2015
(Arising out of SLP © NO.18355 of 2013)

WITH

CIVIL APPEAL NO.7050 OF 2015
(Arising out of SLP © NO.18423 of 2013)

WITH

CIVIL APPEAL NO 7051 OF 2015
(Arising out of SLP © NO.18482 of 2013)

WITH

CIVIL APPEAL NO 7052 OF 2015
(Arising out of SLP © NO.18522 of 2013)

WITH

CIVIL APPEAL NO 7053 OF 2015
(Arising out of SLP © NO.18547 of 2013)

WITH

CIVIL APPEAL NO 7055 OF 2015
(Arising out of SLP © NO.18571 of 2013)

WITH

CIVIL APPEAL NO 7056 OF 2015
(Arising out of SLP © NO.18697 of 2013)

WITH

CIVIL APPEAL NO 7057 OF 2015
(Arising out of SLP © NO.18778 of 2013)

WITH

CIVIL APPEAL NO 7058 OF 2015
(Arising out of SLP © NO.18780 of 2013)

WITH

CIVIL APPEAL NO 7060 OF 2015
(Arising out of SLP © NO.18820 of 2013)

WITH

CIVIL APPEAL NO 7061 OF 2015
(Arising out of SLP © NO.18822 of 2013)

WITH

CIVIL APPEAL NO 7062 OF 2015
(Arising out of SLP © NO.18897 of 2013)

WITH

CIVIL APPEAL NO 7063 OF 2015
(Arising out of SLP © NO.18913 of 2013)

WITH

CIVIL APPEAL NO 7064 OF 2015
(Arising out of SLP © NO.18962 of 2013)
WITH

CIVIL APPEAL NO 7065 OF 2015
(Arising out of SLP © NO.18978 of 2013)

WITH

CIVIL APPEAL NO 7066 OF 2015
(Arising out of SLP © NO.18981 of 2013)

WITH

CIVIL APPEAL NO 7067 OF 2015
(Arising out of SLP © NO.18982 of 2013)

WITH

CIVIL APPEAL NO. 7068 OF 2015
(Arising out of SLP © NO.19169 of 2013)

J U D G M E N T

Leave granted.

The State Consumer Dispute Redressal Commission,
Bhopal issued the following order on 24.12.2011:

"Insofar as the Indore Development Authority is concerned, we find no impediment in carrying out the provisions of Resolution 9. In fact, the administrative orders of the Registrar is for making allotment according to seniority of the members as per the date the payments have been made by these individual members, and therefore we do not perceive any illegality in the order of the District Forum, Indore. The District Forum, Indore examined each case and on finding that allotment has already been made and payment has been received, given direction to execute lease deeds. We make it clear that in those cases where the payment is not complete, the Indore Development Authority may suspend allotment/lease deed of the plot in question without being hindered by the administrative orders. However, this judgment will apply only after four months to enable the Registrar to finalize the list and in the meanwhile if the list is not finalized the Indore Development Authority may proceed to allotment/execute lease-deed as per the directions hereinabove contained. With the above directions all these appeals are disposed of. The cost awarded by the

District Forum and the amount for mental agony is set aside."

Mr. P.S.Patwalia, learned senior counsel appearing for the appellant-Indore Development Authority submits that as far the Authority is concerned, there are no issues and they want to finalize the proceedings as per the Resolution. However, the Registrar (Joint Registrar Cooperative Societies) has not so far given the final list and only because of that the delay has occurred. Though an application is filed for impleadment of Registrar, we do not think it necessary. In the facts and circumstances of the case since we are informed by learned counsel appearing for the parties that the process of finalizing the list is going on, the appeals are disposed of with a direction to the Joint Registrar of Cooperative Societies, Indore who is incharge of the finalization of the list referred to in the order of the State Commission, to finalize the list positively within a period of three months from the date of communication of this order, as per the order of the State Commission and in accordance with law. Based on the list, as furnished by the Joint Registrar of Cooperative Societies, the allotment/execution of lease deed shall be made by the Indore Development Authority within one month

The Registry is directed to communicate this order to the Joint Registrar-Cooperative Societies, Indore Development Authority.

Applications stand disposed of.

.....J.
[KURIAN JOSEPH]

.....J.
[ARUN MISHRA]

NEW DELHI;
SEPTEMBER 11, 2015