

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NOS.2838-2840 OF 2009
(Arising out of SLP©Nos.3088-3090 OF 2008]**

Amarjyothi Housing Society

..Appellant

Versus

C.S.Padmashree & Ors.

..Respondents

ORDER

1. Leave granted.
2. The only question that needs to be decided is whether in view of the decision of this Court in Ghaziabad Development Authority vs. Balbir Singh [2004 (5) SCC 65], the claimant/respondent would be entitled to 18% interest from the respective dates of deposit till payment as the respondent was not given possession of the plots in question.
3. The National Consumer Disputes Redressal Commission (in short 'the National Commission') by the impugned order has directed the appellant to pay interest @ 18% from the respective dates of deposit till payment.
4. When the matter came up for hearing before us, the learned counsel appearing on behalf of the claimant/respondent submitted that the Ghaziabad Development Authority has already complied with the order of the National Commission and in fact has already paid the amount to the claimant/respondent with 18% interest. Such being the position and in view of the fact that these appeals have been filed only against the payment of interest @ 18%, we are of the view that these appeals have become infructuous and are accordingly disposed of. Interim order, if any, stands vacated.
5. However, this order shall not be treated as a precedent in other appropriate cases.
6. In view of the order passed in these appeals, the application for intervention is also disposed of.

.....J.
[Tarun Chatterjee]

New Delhi;
April 27, 2009.

.....J.
[H.L.Dattu]

