

Delhi Development Authority Vs. Pawan Kumar

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Court : Delhi State Consumer Disputes Redressal Commission SCDRC New Delhi

Decided On : Jul-26-1995

Judge : A.P. Chowdhri, President; the Honourable Ms. Justice S. Brar Member & Desh Bandhu, Member

Appeal No. : Case No. A-159 of 1992

Appellant : Delhi Development Authority

Respondent : Pawan Kumar

Judgement :

A.P. Chowdhri, President:

1. The respondent approached the District Forum with two grievances. One, that the initial disposal price of the flat was Rs. 1,05,500/- and it had been illegally revised to Rs. 1,25,300/-. The enhanced revised price had not been charged from every allottee who were similarly situated and two, even though he had paid Rs. 94,400/- on 5.9.89, he had not been allowed interest on that amount while the DDA had claimed interest on the disposal price as revised by it. The District Forum negatived the first of these grievances with a finding that the revision was carried out in respect of flats falling in that category. Revised price had been charged from others and the complainant could not make any grievance of it. Which regard to the second, it was held that the DD A should work out the interest payable on the

amount admittedly deposited by the complainant and refund the excess, if any. Aggrieved by the order, the present appeal was preferred by the DDA.

2. On behalf of the respondent, interest due on both the amounts paid by the respondent and the amount claimed by way of interest by the appellant have been worked out. Calculations have also been filed on behalf of DDA. According to the calculations filed by the DDA a sum of Rs. 21,000 / was charged in excess on account of interest on 30.4.90.

3. We have heard learned Counsel for the parties. We dispose of this appeal with the direction to the appellant-DDA to refund the amount of Rs. 21,000/- together with 12% interest thereon per annum w.e.f. 1.5.90 upto the date of payment within two months from today failing which necessary proceedings u/Section 27 of the C.P. Act shall be initiated against it. In the appeal the parties shall bear their own costs. Disposed of in these terms.

Appeal disposed of.

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