IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 4553/2023

MANTRI SERENITY HOME BUYERS FORUM BENGALURU ……Appellant(s)

REPRESENTING THE FOLLOWING 48 FLAT BUYERS:

1. MR. SANTHOSH KUMAR GOWDOOR
2. SANGAMESHWAR HALLE & NAGESH HALLE
3. RADHIKA RAVI
4. SURESH KRISHNAN
5. SUDEEP S M
6. B.C. KRISHNA KUMAR
7. SAJEENA K S & BINOJ V B
8. S RAMNATH & UMA RAMNATH
9. SREENATH K R
10. RAJIV JANARDHANAN & APARNA RAJIV
11. VISHVE KUMAR SOOD & VINEETA SOOD
12. B K SRINIVAS MURTHY
13. NINGANNA BIRADAR
14. GURUPRASAD B S & NANDITA GURJAR
15. BHUSHAN HEMANT SALGAR
16. SHEKHAR KHAWAS & DEBASMITA MOHAPATRA
17. SANTHOSH PANDURANGA RAO VITTALA MURTHY AND DEEPIKA SHASHIDHAR
18. HARSHA PANDURANGARAO VITTALMURTHY & SHOBHA HARSHA
19. RIZWAN AHMED IBRAHIM SHEIKH
20. SRIDHAR C
21. RAVIKUMAR BALUCHAGI & MANJULA K
22. SHAMSUNDER UCHILA NAVADA & REKHA UCHILA NAVADA
23. DEEPA T GIRIDHAR AND T GIRIDHAR
24. DHANANJAYA & VARSHA DHANANJAYA
25. JAGALURU THIPPESWAMY RAVI & BANAGIRI SRIKANTAIAH SHYLAJA
26. KESHAVA MURTHY & H S MANJULA
27. SARAVAN BABU & DHARMARAJAN R
28. SANJEEV SREEDHARAN & VINEETHA SANJEEV
29. SHARATH CHANDRA VEDANTAM & YASHODHARA VEDANTAM
30. BHARGAVA HUCHURAO
31. ANANTH PRASAD GANIGA & LATA SURESH
32. PRABHU SHANKAR
33. SANDESH V & VENKATESH T S
34. SUDIPTO SAHA
35. J. MURALIDHAR REDDY & DEEPA K
36. SANTHOSHA PATAWARDHAN & PADMINI PARAWARDHAN
37. MUGDALBETTA RAJESH MUGDALBETTA SURESH & SWATHI MUGDALBETTA
38. MIRAJ P A & ANJU GOVIND
39. H L VENKATESH
40. PRAVEEN HEBBAGODI & MEGHNA PRAVEEN
41. COMMANDER L S SURENDRA (RETD.)

Signature Not Verified
Digitally signed by RADHA SHARMA
Date: 2023.11.26 16:34:22 IST
Reason:

42. KARTHIK RAMAMURTHY & KOMAL RAMAMURTHY
43. G R NAGENDRAN
44. RAVI KRISHNAMOORTY & DIVYA RAVI
45. RUPESH KUMAR AGARWAL, SWETA AGARWAL & SUBHASH CHANDAR AGARWAL
46. VANDANA & NITIN KUMAR
47. SURESHA BANGALORE
48. SHRICHARAN SINGH RAI & SWAROOP RANI THAKUR

VERSUS

MANTRI CASTLES PVT. LTD.
(NOW KNOWN AS CASTLES VISTA PVT. LTD.) & ORS. …….Respondent(s)

R1 MANTRI CASTLES PVT. LTD.
R2 MANTRI DEVELOPRS PVT. LTD.
R3 GOKULAM SHELTERS PVT. LTD.
R4 LANDMASTER REALTOR PRIVATE LIMITED
R5 ISKCON CHARITIES
R6 INDIA HERITAGE TRUST (ALSO KNOWN AS INDIA HERITAGE FOUNDATION)

O R D E R

Heard learned counsel for the parties.

2. The issue which now remains to be gone into is with regard to the handing over of the possession to the members of the Appellant-Association specifically members No.24, 39 and 41 in the present case and the modalities with regard to the payment which is required to be made by the respondent-Builder in view of delay in handing over of possession.

3. After making arguments at length, both sides have agreed that the matter can be disposed of in terms of the order passed by a three-Judge Bench of this Court in the case of *Santhosh Narasimha Murthy & Ors. vs. M/s Mantri Castles Private Limited & Anr.* dated July 25, 2023 [Civil Appeal No.8418/2022] specially the operative portion at paragraph No.17 thereof which is extracted as under:

"17. We accordingly allow the appeal filed by the home buyers in the following terms :

(i) The home buyers shall be paid compensation on account of delayed possession at the rate of Rs 3 per square foot per month in terms of clause 14.5 of the buyer agreements.

(ii) For computing the amount due under clause 14.5 in terms of (i) above, the assured dates of possession, as reflected in Annexure P-14, shall be the dates with effect from which the payment would be computed. The compensation shall be payable until 31 January 2023.

(iii) The home buyers shall be entitled to interest at the rate of 6% per annum with effect from the respective dates fixed for handing over possession, as reflected in Annexure P-14; and

(iv) The amounts which are due and payable in the above terms shall be paid over on or before 30 September 2023."

4. Having regard to the aforesaid, the present appeal stands disposed of in terms of the aforesaid order dated July 25, 2023 passed by three-Judge Bench of this Court in Civil Appeal No.8418/2022 and the direction issued at paragraph No.17 thereof shall operate in the present case also. However, the Court clarifies that the members No.24, 39 and 41 shall be handed over possession upon them paying the entire dues as per the agreement entered between the parties, within six weeks from today. Thereafter, the builder shall compute the accounts and come up with a figure with regard to whatever amount remains to be paid by the concerned members to the builder or by the builder to the concerned members of the present Association in terms of the order dated July 25, 2023. The said be furnished within four weeks thereafter. The final transaction be concluded within the next four weeks.

5. We clarify that with regard to member No.24, the payment which has been refunded by the builder to him amounting to Rs.75,91,723/-(Rupees Seventy-Five Lakhs, Ninety-one thousands, Seven Hundred and Twenty-Three only), shall be paid by him to the builder within two weeks and computation shall be made treating the amount as not having been refunded to him.

6. Pending application(s), if any, shall also stand disposed of.

……J.
(AHSANUDDIN AMANULLAH)

……J.
(MANMOHAN)

NEW DELHI
NOVEMBER 18, 2026

ITEM NO.101 COURT NO.8 SECTION XVII-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

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**(IA No. 144553/2023 - APPLICATION FOR PERMISSION
IA No. 224013/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
IA No. 100638/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES
IA No. 146797/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)**

Date : 18-11-2026 This matter was called for hearing today.

CORAM :
HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE MANMOHAN

For Appellant(s) Mr. Chandrachur Bhattacharyya, Adv.
Mr. Sahil Tagotra, AOR

For Respondent(s) Mr. D. K. Devesh, AOR
Mr. Gopal Mishra, Adv.
Mr. Jitesh Saluja, Adv.

Mr. Shekhar G Devasa, Sr. Adv.
Mr. Shoed Alam, Sr. Adv.
Mr. Manish Tiwari, Adv.
Mrs. Thashmitha Muthanna, Adv.
Mr. Manoj K.p., Adv.
Mr. Shashi Bhushan Nagar, Adv.
M/S. Devasa & Co.- 2413, AOR

O R D E R

1. The appeal stands disposed of in terms of the signed order.

2. Pending application(s), if any, shall also stand disposed of.

(RADHA SHARMA)
ASTT. REGISTRAR-cum-PS

(ANJALI PANWAR)
ASSISTANT REGISTRAR

(Signed order is placed on the file)