

**CIVIL APPEAL BEFORE THE SUPREME COURT OF
INDIA**

IN THE SUPREME COURT OF INDIA

(Under Order ____/Article ____)

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No. ____ OF 20__

IN THE MATTER OF:

Position of the parties

TRIAL COURT

THIS COURT

M/s _____ Pvt. Ltd

Opposite Party

Appellant

Through its Managing Director

No. 1

Ms./Mr. _____

Having its registered office at_

VERSUS

1. Mr. _____

Complainant No. Contesting

1

Respondent

No.1

2. Mrs. _____

Complainant No. Contesting

2

Both residing at _____

Respondent No.

2

3.M/s _____

Opposite Party Contesting

No. 1

Respondent No.

3

TO,

**THE HON'BLE CHIEF JUSTICE OF INDIA AND HIS COMPANION
JUDGES OF THE SUPREME COURT OF INDIA,**

MOST RESPECTFULLY SHEWETH :

MEMO OF APPEAL

1. Being aggrieved by the Impugned Order and Judgment dated _____ passed by the Hon'ble National Consumer

Disputes Redressal Commission in Consumer Complaint
No.____ of _____, the Appellant begs to prefer the present
Appeal, on the following grounds, which are taken without
prejudice to one another and in the alternative-

GROUND

- (A) That the Impugned Judgment seeks to reward Respondent Nos. 1 and 2 despite the fact that Respondent Nos. 1 and 2 themselves have failed to comply with their obligations under the Agreement for Sale;
- (B) That the Impugned Judgment seeks to reward Respondent Nos. 1 and 2 despite Respondent Nos. 1 and 2 having failed to pay monies under the Agreement for Sale;
- (C) That the Hon'ble Commission failed to appreciate that when the Agreement for Sale casts reciprocal obligations on the parties, Respondent Nos. 1 and 2 can claim "deficiency of service" only when it has complied with its part of obligations in the first place.

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