

1 EXECUTION (COMM.) 254/22

M/S STANDARD NIWAR MILLS VS. UNION OF INDIA

14.01.2026 (At 10:27 a.m.)

Present: Sh. B.S. Mathur, Id. counsel for Award Holder.
Sh. Ashish Sharma, Id. counsel for Ministry of
Commerce i.e. Award Debtor No.1.
Award Debtor No.2 is also working under Award
Debtor No.1 Ministry.
Sh. Vidyanand Prasad, Assistant Section Officer on
behalf of Award Debtor No.3.

1. One calculation sheet has been filed by Id. counsel for Award Holder, which is taken on record, but for want of any affidavit from the side of Award Debtor departments, I have no occasion to make comparison into rival contentions regarding the payments made against Award in question.
2. In response to directions given by this court on last date of hearing to the Award Debtor departments, Mr. Sharma flashed photocopy of one order passed by Commercial Courts, Kanpur, U.P. to repeat the contention that complete amount has already been paid.
3. If I peruse the past ordersheets, I do not find any change in the tone and tenor of Award Debtor departments. On different date different officials and different Id. Counsels are repeating the same contentions. What transpired on last date is briefly noted in the last order. This court had given clear cut direction to AR of Award Debtor departments to file affidavit giving complete calculation of existing due amount with interest calculated up to this date. They were also directed to refer to relevant particulars of deposits made by them so far against this liability with reference to relevant date. It was further directed that if as per calculation any amount was found due, same must be tendered to

the Award Holder on this date. With all impunity, such directions have been ignored by the Award Debtor departments.

4. I am not impressed with such conduct of officials of Government Department, which is very disturbing trend. Government Departments do not have exemption from the liability under the law including the law of contempt of the court. They cannot assume entitlement to deliberately ignore the directions given by the court and keep repeating the same contentions. If they were not happy with the directions given by the court, they were supposed to take their legal remedy before higher court, rather than to sit over the directions given by this court.
5. Now ld. counsel for Award Debtor department seeks one week's time to file this affidavit. Though, he earlier offered excuses that the official from Government Department could not appear on account of arrangement of Republic Day and he had received copy of the order passed by Commercial Court, Kanpur, U.P., yesterday only, and that he shall be preparing affidavit accordingly and shall send it for signature of the official. Probably, he has forgotten that after a week it will be a peak time for preparation of Republic Day. It is so apparent that all these excuses have been given without any sound basis.
6. In these circumstances, show cause notice is issued to ld. Secretary, Ministry of Commerce, Government of India, who is Award Debtor no.1; and to Chief Controller of Accounts, Supply Division, Department of Commerce, Udyog Bhawan, New Delhi, who is Award Debtor no.2; to explain why not coercive actions be taken in the form of issuance of warrant of arrest against the head of the department for deliberately ignoring the directions of the court and for not making the payment of due amount, if any.
7. Copy of this order be given dasti to Mr. Sharma, who is expected

to hand it over to his client. Through him, afore-said officials are given direction to submit their written reply to afore-said show cause notice by next date of hearing.

8. In the meantime, the directions already given on last date are reiterated and last opportunity is given to file that affidavit through an authorised officer of afore-said departments.
9. Case is adjourned, subject to cost of Rs.25,000/- to be jointly paid by afore-said two Award Debtors to Award Holder on next date. Copy of last order be also given, to be delivered to afore-said officials.
10. Put up on 05.02.2026.

(Pulastya Pramachala)
District Judge (Commercial Court-01),
Patiala House Courts Complex,
New Delhi/14.01.2026