



\$~O-18

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(OS) 218/2020**

M/S. KHANUJA EXPORT & FINANCE PVT. LTDPlaintiff

Through: Mr. Jayashree Shukla Dasgupta, Ms.
Rishika Ahuja and Mr. Shivam
Nayyar, Advs.

versus

MR. KAPIL NAGPAL @ TRANJIT NAGPALDefendant

Through: Mr. Hari Kishan, Adv.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

% **28.01.2025**

**CCP(O) 27/2024 (BY PET. U/ s. 10 AND 12- TO PUNISH THE
CONTEMNOR IN TERMS OF ORDER DT. 16.08.2022)**

1. The instant contempt petition is filed by the defendant alleging wilful disobedience of the order dated 16.08.2020.
2. *Vide* order dated 16.08.2020, the Court modified the earlier interim order dated 19.08.2020, to the extent of permitting the defendant to find a buyer of Villas No. 12 and 13 and to deposit the sale proceeds before the Registrar General of this Court.
3. It is contended that the defendant did not take any concrete steps to find the buyer and take further necessary steps as has been directed, and, therefore, the defendant be punished in accordance with the provision of Section 10 of the Contempt Act, 1971.
4. *Per contra*, learned counsel for the defendant submits that despite the



earnest effort made by the defendant, he could not find any buyer and, accordingly, the Villas No. 12 and 13 could not be sold out. He further submits that he is abiding the order dated 19.08.2020 to the extent of not altering the status of all four villas including Villas no. 12 and 13. He further submits that except the modification to the extent permitted by the Court to secure the buyer, the defendant has not created any third party rights.

5. The aforesaid statement is taken on record and the Court finds that the order dated 19.08.2020 shall remain in force not only with respect to Villas No. 14 and 15 but also with respect to Villa Nos. 12 and 13 as well. However, the defendant is at liberty to file appropriate application seeking permission to dispose of those Villas, if in the meantime, the defendant finds any appropriate buyer.

6. With the aforesaid liberty and observations, the instant contempt petition stands disposed of, leaving all the rights and contentions of the parties open.

CS(OS) 218/2020

7. List the matter on 26.02.2025, i.e. the date already fixed before the concerned Joint Registrar for further proceeding in accordance with extant rules.

PURUSHAINDR KUMAR KAURAV, J

JANUARY 28, 2025/aks/mjo

Click here to check corrigendum, if any