



\$~10, 28, 29 & SB-1

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

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+ CS(OS) 588/2019

SANJAY GUPTA & ANR. .... Plaintiffs

Through: Mr. Shailendra Babbar and Mr.  
Avinash Das, Advocates.

versus

SHARVAN KUMAR & ORS. .... Defendants

Through: Mr. Avinash Trivedi and Ms.  
Rhythem Nagpal, Advocates for D-4  
& D-5.  
Inspector Yograj Dalal, Special Cell  
and Inspector Pankaj, NR-1, Crime  
Branch.

28

+ CS(OS) 185/2019 & I.A. 1445/2020

SHRI SHARVAN KUMAR .... Plaintiff

Through: None.

versus

SHRI RAJIV GUPTA & ORS. .... Defendants

Through: Mr. Shailendra Babbar and Mr.  
Avinash Das, Advocates for D-1 & 2.  
Mr. Avinash Trivedi and Ms.  
Rhythem Nagpal, Advocates for D-4/  
Ram Niwas Gupta.  
Inspector Yograj Dalal, Special Cell  
and Inspector Pankaj, NR-1, Crime  
Branch.



29

+ CS(OS) 198/2019 & I.A. 3101/2020

SH. RAM NIWAS GUPTA

..... Plaintiff

Through: Mr. Avinash Trivedi and Ms.  
Rhythem Nagpal, Advocates.

versus

SH. RAJIV GUPTA & ORS.

..... Defendants

Through: Mr. Shailendra Babbar and Mr.  
Avinash Das, Advocates for D-1.  
Mr. Shailendra Babbar and Mr.  
Avinash Das, Advocates for D-1 &  
D-2.  
Inspector Yograj Dalal, Special Cell  
and Inspector Pankaj, NR-1, Crime  
Branch.

SB-1

+ FAO 381/2019 & CM APPL.38378/2019

SANJAY GUPTA & ANR.

.....Plaintiffs

Through: Mr. Shailendra Babbar and Mr.  
Avinash Das, Advocates.

versus

INSPECTOR SATISH KUMAR & ORS.

....Defendants

Through: None.

**CORAM:**

**HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI**

**ORDER**

**01.09.2022**

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### **FAO 381/2019**

This matter was received upon being released by a Co-ordinate Bench.

2. At the outset, it is pointed-out that, as recorded in (the second) order dated 18.09.2019, in particular in para 4 thereof, this matter was shown in some places as Civil Contempt Petition 767/2019 and in other places as FAO 381/2019. However, it is in fact an application under Order XXXIX Rule 2-A of the Code of Civil Procedure, 1908 read with sections 10 and 12 of the Contempt of Courts Act 1971, alleging disobedience of order dated 20.03.2019 passed by the learned Civil Judge, Tis Hazari, Delhi in Civil Suit No. 480/2019. Civil Suit No. 480/2019 has since been transferred to this court and has now been re-numbered as CS(OS) No.588/2019. Accordingly, the present matter is an application and is required to be re-numbered as an I.A. in CS(OS) No. 588/2019.
3. The Registry is directed to do the needful.

### **CS(OS) Nos. 185/2019, 198/2019 & 588/2019**

4. Learned counsel for the parties submit that their clients would be willing to explore the possibility of an amicable settlement of their *inter-se* disputes through mediation under the aegis of the Delhi High Court Mediation & Conciliation Centre.
5. Learned counsel submit that all parties to these suits are represented today, except Mr. Piyoosh Goyal, who is defendant No. 2 in CS(OS) No. 588/2019; and Mr. Sharvan Kumar, the plaintiff in CS(OS) 185/2019 who is stated to have passed away sometime in 2021, with no legal representatives having been brought on record.



6. Learned counsel submit that the matter be referred to mediation and counsel for the parties will request Mr. Rajiv Bajaj, learned counsel who appears for Mr. Piyoosh Goyal in these matters, who is not present today, to also attend the mediation proceedings.
7. In view of the above request, parties are referred to mediation before the Delhi High Court Mediation & Conciliation Centre, with a request to the learned Organizing Secretary of the Mediation Centre to appoint an appropriate mediator in the matter.
8. Let the parties approach the Mediation Centre on Wednesday *i.e.* 7<sup>th</sup> September 2022 at 02:30 p.m. for the purpose.
9. A copy of this order be sent to the learned Organizing Secretary of the Mediation Centre, for information and compliance.
10. Mr. Trivedi is directed to communicate a copy of this order to Mr. Rajiv Bajaj, learned counsel for Mr. Piyoosh Goyal, in writing; and to place proof of such communication on record.
11. Awaiting the outcome of mediation, list on 13<sup>th</sup> December, 2022.

**ANUP JAIRAM BHAMBHANI, J**

**SEPTEMBER 1, 2022**  
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