

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

TRANSFER PETITION (CRL.) NO(s). 30 OF 2007

SANJEEV KUMAR SINGLA

Petitioner(s)

VERSUS

KOTAK MAHINDRA BANK LTD.

Respondent(s)

Date: 01/09/2011 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s)

Mr. Ashok K. Mahajan, Adv. (N.P.)

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

On 9th February, 2007, when we had issued notice in this matter, we had also directed that there would be stay of further proceedings in the case pending before the Metropolitan Magistrate, Karkardooma Court, New Delhi, and the Complaint Cases pending before the Metropolitan Magistrate, George Town, Chennai, on condition of the petitioner depositing a sum of ` 65,000/- in this Court with the Secretary General, who was directed to invest the said sum with the UCO Bank, Supreme Court Branch, in a short term Fixed Deposit.

2. Since our aforesaid directions were not complied with by the Registry, on 29th July, 2011, we called for a fresh explanation, as to why the specific order passed on 9th February, 2007, was not complied with.

3. A fresh explanation has now been placed on the record, from which it appears that the Fixed

Deposit Account came up for renewal before the Registrar(Court). Without reference to the Court, the Registrar(Court) by his order dated 10th September, 2007, upon a reference to a guideline laid down by the Hon'ble Chief Justice of India, regarding how deposits were to be made, disregarded the judicial order of the Court.

4. There is little doubt that guidelines issued by the Hon'ble C.J.I. are required to be followed by the Registry, but in the instant case, when a judicial order had been passed, the same ought not to have been deviated from without reference to the Court, notwithstanding the guidelines, as laid down.

5. This constitutes a serious lapse on the part of the Registry and should not be repeated in future.

(Sheetal Dhingra)
Court Master

(Juginder Kaur)
Assistant Registrar