

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

Petition(s) for Special Leave to Appeal (Civil) No(s).27427/2012

(From the judgement and order dated 07/08/2012 in WP No.38133/2012 of The  
HIGH COURT OF JUDICATURE AT ALLAHABAD)

DHARMENDRA KUMAR MOHTA Petitioner(s)

VERSUS

MUNNA LAL MOHTA @ SATYENDRA MOHTA & ORS. Respondent(s)

(With prayer for interim relief and office report)

WITH CONT.PET(C) No. 42/2013 in SLP(C) No. 27427/2012

Date: 06/05/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s) Mr. Sanjay Kumar Visen, Adv.  
Mr. Abhinav Shrivastava, Adv.  
Mr. Manendra Dubey, Adv.

For Respondent(s) Ms. Sandhya Goswami, Adv.  
Mr. Jabar Singh, Adv.  
Mr. M.P.S. Tomar, Adv.  
Ms. Nikhar Berry, Adv.

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

Learned counsel for the respondent-contemners, Ms. Sandhya Goswami, submitted that the respondents-contemners have not violated any order of this Court. However, it appears that the SLP will first of all have to be considered by the Court to ascertain the nature of dispute between the parties as also to consider whether the order of stay granted by this Court is fit to be sustained and whether the respondents-contemners could operate the account and run the business in view of the award passed in their favour.

Counsel for the respondents submits that counter affidavit has already been filed to which the counsel for the petitioner wants to file rejoinder affidavit. Same is allowed to be done within a period of six weeks.

Contempt petition will be considered after the SLP is considered to determine whether the contemners can be held to have committed contempt of court by violating the order of this Court in letter and spirit. In that view of the matter, we are of the opinion that the presence of the respondents-contemners is not required at this stage since they are duly represented by the counsel; hence respondents-contemners are exempted from their personal appearance in this Court from the next date until they are called upon again by the Court.

List the special leave petition along with the contempt

petition after six weeks.

(NAVEEN KUMAR)  
COURT MASTER

(SNEH BALA MEHRA)  
COURT MASTER