

Listed On.3.3.2014
Court No.14
Item No.46

SECTION XII

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3029 OF 2008

WITH

INTERLOCUTORY APPLICATION NO. 3

(Application for directions)

AND

INTERLOCUTORY APPLICATION NO. 4

(Application for discharge of order on
record of the appellant)

WITH

INTERLOCUTORY APPLICATION NOS.5-6

(Application for permission to file
additional documents)

R. Srikanth ...Appellant

versus

D. Suriya Kumari ...Respondent

WITH

CONTEMPT PETITION NO. 67 OF 2013

D. Suriya Kumari ...Applicant/Respondent

versus

R. Srikanth ...Alleged Contemnor

OFFICE REPORT

The appeal alongwith applications and Contempt Petition above-mentioned was listed before the Hon'ble Court on 20th January, 2014, when the Hon'ble Court was pleased to pass the following order:-

"CONMT.PET.(C) NO. 67 of 2013 in C.A.No.3029/2008:-

We have heard learned counsel for the appellant.

Our attention is drawn to Order of this Court dated 20-1-2011.

Counsel for the appellant is not able to make a statement that the appellant has complied with this order.

The appellant prima facie appears to us to be in clear contempt of this Court's Order dated 20-1-2011. When we expressed this, the counsel for the appellant stated that he wants to obtain discharge. We refused to discharge him at this stage. We asked the counsel whether the appellant is present in the Court. He stated that the appellant is not present.

Counsel for the appellant has drawn our attention to letter dated 11-2-2013 sent by the Advocate-on-Record to the appellant asking him to remain present in this Court on 28-2-2013. Counsel for the appellant informed us that the appellant did not remain present in this Court on 28-2-2013. ...2/-

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Hence, issueailable warrant returnable after four weeks. The appellant be released on bail in the sum of Rs.50000/- with one surety to make up the amount. List the matters on board after four weeks."

Accordinglyailable warrant was issued on 27th January, 2014 through Commissioner of police to be executed R. Srikanth, Alleged Contemnor by speed post and delivered on 29th January, 2014 and also by fax, but no compliance report has been received so far.

It is further submitted that Mrs. N. Shoba, Counsel for appellant has on 3rd February, 2014 and 5th February, 2014 filed an application for permission for file additional documents respectively in Civil Appeal No. 3029 of 2008 and is registered as Interlocutory Applicant Nos. 5 and 6 and copies of the same are placed with appeal paper books.

It is lastly submitted that Mr. S. Thananjayan, Advocate has on 28th February, 2014 filed vakalatnama/appearance on behalf of the Appellant after taking no objection from the erstwhile advocate Mrs. N. Shoba, but the same cannot be taken on record as per Hon'ble Court's order dated 20th January, 2014.

Service of notice is complete.

Original record has been received from the High Court in this Registry and the same is available for the reference of the Hon'ble Court.

The matters above mentioned are listed before the Hon'ble Court with this office report.

Dated this, the 1st day of March, 2014.

ASSISTANT REGISTRAR

COPY TO: Mrs. N. Shoba, Advocate
Mr. A.T.M. Sampath, Advocate

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