

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

RECORD OF PROCEEDINGS

IA No. \_\_\_\_\_ in CIVIL APPEAL NO. 7948 OF 2004

HARIDAS DAS

Appellant (s)

VERSUS

USHA RANI BANIK & ORS.

Respondent(s)

(for directions and office report )

Date: 07/05/2007 This Appeal was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

HON'BLE MR. JUSTICE D.K. JAIN

For Appellant(s)

Mr. Chanchal Kumar Ganguli, Adv.

For Respondent(s)

In-Person

Mr. P.K. Chakravarty, Adv. (NP)

UPON hearing counsel the Court made the following

O R D E R

The contemnor, who appears in person, states that the notice issued

n to the to him indicated as if his presence was required in relation Civil

Appeal No. 7948/2004. The said civil appeal has already been disposed of.

hy action In fact, the contemnor was required to show cause as to w for

a facie, contempt shall not be taken for making statements which, prim

appear to be contemptuous. This is clear from the orders dated 26.2.2007

was On 26.3.2007, the contemnor appeared in person and the matter

order dated directed to be listed on 16.4.2007. It was clearly stated in the

te. 26.3.2007 that reply, if any, shall be filed before that da Instead of

appearing on the date fixed, the contemnor sent a letter praying for time. It

was clearly indicated in the order dated 16.4.2007 that there was no reason

to accept the prayer made in view of the earlier orders passed.

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Today the contemnor, who is present in person, states that the

notice that was received by him referred to the Civil Appeal No. 7948/2004

and, therefore, he has filed some affidavits in respect of the said appeal. This

clearly is a clever ruse. He was present in court and was granted time to file

reply in the contempt proceedings. In view of the fact that a reference has

been made to the Civil Appeal No. 7948/2004, to which the contempt

proceedings relate, we direct the personal presence of the contemnor on 14th

May, 2007. Reply, if any, shall be filed before that date. It is  
made clear

that if any notice is sent to him indicating the civil appeal number, same will

be of no consequence because he has been told in Court personally that  
he

has to file his response in regard to the contempt proceedings.

Adjourned to 14th May, 2007.

(Ajay Kr. Jain)  
wal)

Court Master  
er

(Vijay Aggar

Court Mast