

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).5597-5598/2005

(From the judgement and order dated 20/01/2005 in CMA No. 273/2004 & CMA No. 340/2004 of Th  
e

HIGH COURT OF A.P AT HYDERABAD)

R.V.SRINATH PRASAD AND ORS.

Petitioner(s)

VERSUS

NANDAMURI JAYAKRISHNA AND ANR.

Respondent(s)

(With appln(s) for permission to travel abroad and permission to submit additional  
document(s) and

office report ))

Date: 21/10/2005 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARIJIT PASAYAT

HON'BLE MR. JUSTICE ARUN KUMAR

For Petitioner(s)

Mr. Harish N.Salve, Sr. Adv.

Mr. Mukul Rohtagi, Sr. Adv.

Mr. Ranjit Kumar, Sr. Adv.

Mr. A. Raghunath, Adv.

For Respondent(s)

Mr. G.E.Vahanvati, SG

Mr. Arun Jaitley, Sr. Adv.

Mrs. S.Vani, Adv.

Mrs.B.Sunita Rao, Adv.

UPON hearing counsel the Court made the following

O R D E R

Heard learned counsel for the parties.

Learned Solicitor General is requested to find out if diplomatic arrangements can be made so that there is no scope for a superior Court's order in one country is ignored by a Court of another country. It needs no emphasis that the effect of Court's order, more particularly, a superior Court and its enforceability should not be left to be decided on the basis of perception of Court in another country. We have perused the show cause reply furnished by the petitioner in respect of the contempt proceedings. Prima facie we are not satisfied with the reply, the contempt proceedings shall continue. Call these matters on 9.1.2006. In the meantime, request made by the petitioner to go to U.S.A. is accepted and he is permitted to go to U.S.A. subject to his furnishing an undertaking before this Court to the effect that he shall return to India on or before 20th November, 2005. The Learned Solicitor General is requested to take steps to inform the Embassy in U.S.A. that the petitioner is permitted to go to U.S.A. till 20th November, 2005 and in case the Embassy does not get information that he has returned to India on or before 20th November, 2005, steps shall be taken to declare him as an absconder so far as this country is concerned. Necessary steps also shall be taken for cancellation of his pass-port and other follow up action by

the

concerned Immigration department.

(Shashi Sareen)

Court Master

(Vijay Aggarwal)

Court Master