

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

Petitions for Special Leave to Appeal (Civil) Nos.24180-24181/2012

(From the judgement and order dated 02/12/2011 in CCC No.883/2011 dated 27/03/2012 in RA No.192/2012 of The HIGH COURT OF DELHI AT N. DELHI)

SETH POKHARMAL EDUC. SOCIETY (REGD)

Petitioner(s)

VERSUS

G.C.PATNAIK & ORS.

Respondent(s)

(With appln(s) for exemption from filing c/c of the impugned order and prayer for interim relief and office report)
(FOR FINAL DISPOSAL)

WITH

WITH SLP(C) NO. 34242-34243 of 2012
(With prayer for interim relief and office report)
(for final disposal)

SLP(C) NO. 34245-34247 of 2012
(With prayer for interim relief and office report)
(for final disposal)

SLP(C) NO. 38170-38172 of 2012
(With office report)
(for final disposal)

SLP(C) NO. 38176-38177 of 2012
(With appln. for permission to place addl. documents on record and exemption from filing c/c of the impugned judgment and office report)

SLP(C) NO. 38178-38179 of 2012
(With appln.(s) for permission to place addl.documents on record and exemption from filing c/c of the impugned judgment and office report)(For final disposal)

SLP(C) NO. 38182-38184 of 2012
(With appln. for exemption from filing c/c of the impugned order and office report)(For final disposal)

SLP(C) NO. 38185-38187 of 2012
(With appln.(s) for exemption from filing c/c of the impugned order and office report)
(for final disposal)

SLP(C) NO. 38618 of 2012
(With prayer for interim relief and office report)
(for final disposal)

S.L.P.(C)...CC NO. 3987 of 2013
(With appln.(s) for permission to file SLP and permission to file
addl.documents and office report)

S.L.P.(C)...CC NO. 6543 of 2013
(With appln.(s) for c/delay in filing SLP and office report)

SLP(C) NO. 7353 of 2012
(With office report)

Date: 04/09/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA
HON'BLE MR. JUSTICE M.Y. EQBAL

For Petitioner(s) Ms. P.P. Rao, Sr. Adv.
Mr. Mukesh Jain, Adv.
Ms. Asha Jain Madan, Adv.

SLP(C)CC6543/13 Mr. Jagdeep Dhankar, Sr. Adv.
Ms. Asha Jain Madan, Adv.

Mr. D.N. Goburdhan, Adv.
Mr.Prabal Bagchi, Adv.

Mr. Mukul Rohtagi, Sr. Adv.
Ms. Meenakshi Arora, Adv.
Mr. Ashok K Sethi, Adv.
Mr. Ankit Jain, Adv.
Mr. Mohit D Ram, Adv.

Mr.Ankit Jain, Adv.
Mr. Gagan Gupta, Adv.

Mr. Ravinder Sethi, Sr. Adv.
Mr.Rajeev Ghawana, Adv.
Mr. Gautam Narayan, Adv.

SLP(C) CC 3987/13 Mr.Gauam Narayan, Adv.

Mr.Kamal Gupta, Adv.
Mr. Rahul Gupta, Adv.

For Respondent(s) Mr.Rakesh Dwivedi, Sr.Adv.
Mr. A Sharan, Sr. Adv.
Ms. Binu Tamta,Adv.
Mr.Dhruv Tamta, Adv.

Mr.Rakesh K.Khanna, ASG
Ms.Indira Sawhney, Adv.
Mr.R.R.Rajesh, Adv.
Ms.S.Usha Reddy, Adv.
Mr.Anirudh Tanwar, Adv.
For Ms. Sushma Suri, Adv.

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

SLP(C) Nos. 24180-24181 of 2012

In these special leave petitions, the petitioner has called in question the correctness or otherwise of the orders passed by the learned Single Judge of the High Court of Delhi in Contempt Case (C) No. 883 of 2011, dated 02.12.2011 and Review Application No. 192 of 2012 dated 27.03.2012.

The petitioner has preferred Contempt Case (C) No. 883 of 2011 under Sections 11 and 12 of the Contempt of Courts Act, 1971, before the High Court of Delhi at New Delhi, whereby the petitioner alleges deliberate and willful disobedience of the Judgment and order passed by the learned Single Judge of the Delhi High Court in a batch of writ petitions including W.P.(C) No. 18728 of 2004, dated 17.04.2006.

For multiple reasons, learned Single Judge of the Delhi High Court has come to the conclusion that there is no willful disobedience of the order(s) and direction(s) issued by the High Court in Writ Petition No. 18728 of 2004, dated 17.04.2006 by the respondents, accordingly, has dismissed the contempt petition(s). Aggrieved by the same the petitioner had preferred Review Application No. 192 of 2012 which was also dismissed by the learned Single Judge vide its order dated 27.03.2012.

Being aggrieved by the aforesaid judgment(s) and order(s), the petitioner is before us in these special leave petitions questioning the correctness or otherwise of the impugned judgment(s) and order(s).

We have heard Shri P.P. Rao, learned senior counsel for the petitioner. We did not call upon Shri Rakesh Dwivedi, learned senior counsel appearing for the respondents to sustain the judgment(s) and order(s) passed by the Learned Single.

We have carefully perused the impugned judgment(s) and order(s) passed by the High Court.

In our considered view in the factual scenario which is succinctly noticed by the High Court in the impugned order(s), as also reiterated by Shri P.P. Rao at the time of hearing of these petitions, we cannot hold and conclude that the respondents in not implementing the order passed by the High Court in Writ Petition No. 18728 of 2004 have committed any willful disobedience of the order(s) and direction(s) issued by it.

In view of the above, we decline to entertain these special leave petitions and the same are disposed of accordingly.

We clarify that we have not expressed any opinion on the correctness or otherwise of the view taken by the Division Bench of the Delhi High Court in the case of Bhagwan Mahavir Education Society (Regd.) and Anr. vs. DDA and Ors.

Ordered accordingly.

S.L.P.(C) No. 38618 of 2012

This special leave petition is disposed of in terms of the order passed in S.L.P.(C) No. 24180-24181 of 2012.

Rest of the matters

List tomorrow, i.e., 05.09.2013 as part-heard.

	[Charanjeet Kaur]			[Vinod Kulvi]	
	Court Master			Asstt. Registrar	