

These contempt petitions have been filed by the petitioners alleging breach of the judgment and order passed by this Court on 3/8/2009 in Civil Appeal No. 5053 of 2009. By the said order, we had only remitted the matter to the Trial Court, for deciding the original suit No. 666 of 2001, at an early date, preferably within a period of six months from the date of submission of the copy of the judgment and order of this Court.

It has not been disputed before us that ever since then the Trial Court has already pronounced its judgment and decree in the said suit, pursuant to the order passed by this Court. Needless to say that the petitioner has a right to file an appeal against the said judgment and decree before the Appellate Court, under Section 96 of the Civil Procedure Code. That being so, we are afraid that no case for contempt is made out.

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However, the petitioner shall be at liberty to take all grounds that may be available in accordance with law, which we are sure would be considered and decided by the Appellate Court, as per law.

The contempt petitions are disposed of.

Therefore, I.As. also stand disposed of.

.....J.
(DEEPAK VERMA)

.....J.
(H.L. GOKHALE)

New Delhi;
October 20 , 2011.