

ITEM NO.12

COURT NO.13

SECTION XVI

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

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 12318/2025

[Arising out of impugned final judgment and order dated 21-11-2024
in CO No. 3335/2023 passed by the High Court at Calcutta]

MONOJ ROY

PETITIONER(S)

VERSUS

PREMANSHU MONDAL & ORS.

RESPONDENT(S)

[TO BE TAKEN UP AT THE TOP OF THE BOARD]

(IA No. 89986/2025 - EXEMPTION FROM FILING O.T., IA No. 182888/2025
- PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

CONMT.PET.(C) NO. 580/2025 IN SLP(C) NO. 12318/2025 (XVI)

IA NO. 11571/2026 - APPLN. FOR CORRECTION OF NAME OF ALLEGED
CONTEMNOR NO.22

IA NO. 17110/2026 - APPLN. FOR EXEMPTION FROM FILING O.T.

IA NO. 17658/2026 - APPLN. FOR EXEMPTION FROM FILING O.T.

IA NO. 18100/2026 - APPLN. FOR EXEMPTION FROM FILING O.T.

IA NO. 18278/2026 - APPLN. FOR EXEMPTION FROM PERSONAL APPEARANCE

IA NO. 18289/2026 - APPLN. FOR EXEMPTION FROM FILING O.T.

IA NO. 18290/2026 -APPLN. FOR EXEMPTION FROM PERSONAL APPEARANCE

IA NO. 18428/2026 -APPLN. FOR EXEMPTION FROM PERSONAL APPEARANCE

IA NO. 18447/2026 -APPLN. FOR EXEMPTION FROM PERSONAL APPEARANCE

IA NO. 18451/2026 -APPLN. FOR EXEMPTION FROM PERSONAL APPEARANCE

IA NO. 18453/2026 -APPLN. FOR EXEMPTION FROM PERSONAL APPEARANCE

IA NO. 18455/2026 -APPLN. FOR EXEMPTION FROM PERSONAL APPEARANCE

IA NO. 18481/2026 -APPLN. FOR EXEMPTION FROM PERSONAL APPEARANCE

Date : 20-01-2026 These matters were called for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s): Mr. Huzefa Ahmadi, Sr. Adv.
Mr. Partha Sil, AOR

Mr. Utkarsh Dwivedi, Adv.
Mr. Srijit Datta, Adv.

For Respondent(s): Mr. Avishkar Singhvi, Adv.
Mr. Sagar Suri, AOR
Mr. Shubham Gupta, Adv.
Mr. Vivek Kumar, Adv.

Mr. Devadatt Kamat, Sr. Adv.
Mr. Sunando Raha, Adv.
Mr. Kunal Malik, AOR
Mr. Tamal Banerjee, Adv.
Mr. SK Sayan Uddin, Adv.
Ms. Manishita Bhattacharjee, Adv.
Ms. Nitipriya Kar, Adv.
Mr. Harsh Pandey, Adv.
Mr. Vikrant Dhama, Adv.

Dr. Sushil Balwada, AOR

Mr. Tavish Bhushan Prasad, AOR

Mr. Amit Pai, Adv.
Ms. Shruti Bisht, AOR

O R D E R

Heard learned counsel for the parties.

2. Pursuant to our order dated 09.12.2025 all the respondents/alleged contemnors have filed their respective affidavits, except respondent/alleged contemnor no. 22, who is unserved.

3. Respondents/alleged contemnors No. 2 to 4, 6, 10 to 14, and 16 to 20 are present in Court. However, on behalf of respondents/alleged contemnors No. 1 (IA NO. 18453/2026), 5 (IA NO. 18447/2026), 7 (IA NO. 18278/2026),

8 (IA NO. 18455/2026), 9 (IA NO. 18451/2026), 15 (IA NO. 18428/2026), 21 (IA NO. 18481/2026) and 23 (IA NO. 18290/2026), though applications have been filed seeking exemption from their personal appearance on various grounds, but they have joined the Court proceedings through video conferencing.

4. Having considered the reason for their non-appearance and also noting the fact that they have shown respect to the Court's order by connecting to the Court proceedings through video conferencing, we allow the aforesaid applications.

5. Though arguments were advanced from both sides, but learned counsel for the respondents/alleged contemnors take a categorical stand that whatever has happened was purely because of misconception and there was no deliberate attempt to violate any order of the Court. To show such *bonafide* they undertake to unconditionally withdraw the agreement which was the cause for the present proceedings and the reason for the Court to take cognizance of such act.

6. Having regard to the aforesaid, in the interest of justice, we find that the respondents should be given one chance to show their *bonafide* by correcting an act, which according to them was purely unintentional and a mistake.

7. Accordingly, as prayed for by learned counsel for the

respondents/alleged contemnors, list these matters on 03.02.2026 at the top of the Board.

8. The Court makes it clear that if there is any other document executed or acts of omission/commission by the respondents/alleged contemnors, which is related or may be relatable to the stay order dated 28.04.2025, the same shall also be withdrawn/reversed to restore the position as was existing prior to 28.04.2025. As basically the act relates to one single deed and may be other deeds relating to all the respondents/alleged contemnors, one common affidavit would suffice to indicate that all the respondents/alleged contemnors are party to such purging of the Contempt, which shall be filed within two weeks from today.

9. IA No. 11571 of 2026 is allowed at the risk and responsibility of the petitioner.

10. The personal presence of the alleged contemnors stand dispensed with, for the present.

(POOJA SHARMA)
AR-CUM-PS

(ANJALI PANWAR)
ASSISTANT REGISTRAR