

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

CONMT.PET.(C) No.627/2019 in C.A. No.227/2013

JASWINDER SINGH &amp; ORS.

Petitioner(s)

VERSUS

JASPREET KAUR TALWAR &amp; ORS.

Respondent(s)

Date : 27-01-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI  
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Ajay Bansal, Adv.  
Mr. Sourav Jindal, Adv.  
Mr. Gaurav Yadav, Adv.  
Mr. Tilak Raj Pasi, Adv.  
Ms. Veena Bansal, Adv.  
Mr. H.S. Sandhu, Adv.  
Mr. Satyapal Khushal Chand Pasi, AOR

For Respondent(s) Mr. Karan Sharma, Adv.  
Mr. Ajay Pal, AOR  
Mr. Mayank Dahiya, Adv.  
Ms. Bhupinder, Adv.  
Ms. Aashna Gill, Adv.  
Ms. Sugandh Rathor, Adv.  
Ms. Priyanka C., Adv.

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

On the last occasion i.e., on 23.01.2023, we have expressed serious reservations that requisite compliance of the order dated 26.10.2016 has not been carried out yet. However, in the interest of justice, we still granted time but while providing that if the compliance was not reported by the next date, the contemnor-respondent No. 1 shall remain personally present in the Court and the matter was placed today for consideration.

As per office report, contemnor No. 1 was informed by the

Registry via e-mail as also telephonically and through whatsapp Number. The contemnor is not present. On the other hand, what has been filed before us is a tabulated statement stating the so-called details of arrears to be paid in COCP No. 627 of 2019. Neither any affidavit has been filed nor it has been clarified as to how the calculations have been made.

Learned counsel appearing for the respondent-contemnor submits that the affidavit of the contemnor has been received now but the same could not be filed due to bereavement in the family of the Advocate on Record.

We find the approach on the part of the respondent-contemnor seriously questionable where due care has not been taken to file the specific affidavit and then, the contemnor is not present before the Court, though ordered so on 23.01.2023. This is apart from the fact that according to the learned counsel for the petitioner, punctual and adequate compliance of the requirements of orders passed by this Court on 26.10.2016 has not been carried out even if the said chart is taken into consideration.

Though, we were inclined to issue process against the respondent-contemnor but at the request of the learned counsel appearing for the said contemnor, the matter is deferred today.

Let the requisite affidavit be filed latest by 31.01.2023.

The petitioners may file reply to such affidavit by 07.02.2023. After receiving the affidavit from the petitioners, the respondent-contemnor may again examine the matter and file a response affidavit on or before 13.02.2023, if so required.

If any part of the compliance remains due or pending, it would

be required of the contemnor-respondent No.1 to remain present in the Court on the next date.

List this matter on 17.02.2023.

(GAGANDEEP SINGH CHADHA)  
(SENIOR PERSONAL ASSISTANT)

(RANJANA SHAILEY)  
COURT MASTER (NSH)