

(2023) 02 DEL CK 0028

In the Delhi High Court

Case No : CONT.APP.(C) No. 7 Of 2023, Civil Miscellaneous Application No.
5034-5035 Of 2023

Anu Balha & Ors.

APPELLANT

Vs

ICICI Home Finance & Ors

RESPONDENT

Date of Decision : 02-02-2023

Acts Referred:

Contempt of Courts Act, 1971 — Section 19(1)

Citation : (2023) 02 DEL CK 0028

Hon'ble Judges : Suresh Kumar Kait, J; Neena Bansal Krishna, J

Bench : Division Bench

Advocate : Amiet Andlay, Arun K. Sharma, Amarjeet Singh Bedi, Aditi Tuteja,
Akhil Hasija

Final Decision : Disposed Of

Judgement

CM APPL. 5035/2023 (Seeking Exemption)

1. Allowed, subject to just exceptions.

2. The application is disposed of.

CONT.APP.(C) 7/2023 & CM APPL. 5034/2023

3. An appeal under Section 19(1) of the Contempt of Courts Act, 1971 has been filed by the appellants seeking the following reliefs:

“(a) Set aside and Quash the Order dated 8.12.2022 and the Order dated 20.1.2023 passed by the Learned Single Judge in CS (OS) (Comm) No. 1336 of 2016;

(b) Pass such other and further orders as this Hon'ble Court deems fit and proper in the facts and circumstances of this case.”

4. Learned counsel for the appellant has assured before this Court that reply in the Contempt Petition pursuant to the directions dated 08.12.2022, shall be filed

before the next date of hearing i.e. 23.02.2023. Since the reply to be considered by the learned Single Judge on quantum, therefore, the Appellant No.1 to 3 shall also remain present on the next date of hearing before the learned Single Judge.

5. We further make it clear that if the reply is not filed on the next date, the learned Single Judge shall pass the Order as per law.

6. We hereby again clarify that the Single Judge shall pass an Order on quantum after taking into consideration the reply filed by the appellant.

7. In view of the above, appeal is disposed of by staying the Order of Non Bailable Warrant issued against the appellant No.1, 2 and 3.

8. All pending applications, if any, also stands disposed of.