

ITEM NO.4

Court 4 (VC)

SECTION XVII-A

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

Miscellaneous Application No.831/2020 in Civil Appeal No.4449/2017

THE ORIENTAL INSURANCE CO. LTD. & ORS.

Petitioner(s)

VERSUS

ELEL HOTELS AND INVESTMENTS LTD

Respondent(s)

WITH CONMT.PET.(C) No.462/2020 in C.A. No.4449/2017 (XVII-A)
(With appln.(s) for exemption from filing affidavit)

Date : 04-08-2020 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s)

Mr. Ajay Singh, Adv.

MA 831/2020

Mr. Vivek Narayan Sharma, AOR

CP 462/2020

Mr. Muneesh Malhotra, Adv.

Ms. Prerana Chaturvedi, AOR

Ms. Manpreet Kaur, Adv.

Mr. Aditya Malhotra, Adv.

For Respondent(s)

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

- 1 MA 831 of 2020 has been filed by Oriental Insurance Company Limited, seeking the permission of this court to deposit the amount which is due and payable in terms of the judgment dated 8 February 2019 in Court.
- 2 Contempt Petition (Civil) No 462 of 2020 has been filed by the petitioner, ELEL Hotels and Investments Limited for breach of the

order of this Court.

- 3 We have heard Mr Ajay Singh, learned counsel for the applicant in MA No 831/2020 and Mr Muneesh Malhotra, learned counsel for the petitioner in Contempt Petition (Civil) No 462/2020. Mr Ajay Singh submits that the amount due to the petitioner has not been paid for want of completion of KYC formalities. Mr Malhotra disputes this submission and contends that all requisite details have been furnished.
- 4 The amount which is due and payable in terms of the judgment of this Court dated 8 February 2019, shall be paid over to the petitioner, above named, no later than within a period of three weeks from today. The amount shall, it has been agreed, be transferred electronically to the account of the petitioner in HDFC Bank, details of which are contained in Annexure-V to Contempt Petition (Civil) No 462 of 2020.
- 5 If after the payment of the above amount, any further dispute remains in regard to the quantification of the amount due and payable, it will be open to the petitioner to file an appropriate application before the National Consumer Disputes Redressal Commission for the purpose of seeking the execution of the final decree.
- 6 Since Oriental Insurance Company Limited has expressed its readiness and willingness to deposit the amount, we are not inclined to initiate contempt proceedings. The contempt petition and the miscellaneous application shall accordingly stand disposed of.
- 7 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)
AR-cum-PS

(SAROJ KUMARI GAUR)
BRANCH OFFICER