

ITEM NO.14+58

COURT NO.7

SECTION II-A

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

Miscellaneous Application No. 898/2021 in CrI.A. No. 730/2020

(Arising out of impugned final judgment and order dated 04-11-2020 in CrI.A. No. No. 730/2020 passed by the Supreme Court of India)

RAJNESH

Applicant/Appellant (s)

VERSUS

NEHA & ANR.

Respondent(s)

(FOR FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 72108/2021)

WITH

CONMT.PET.(C) No. 364/2021 in CrI.A. No. 730/2020 (II-A)
(FOR ADMISSION)

CONTEMPT PETITION (CIVIL) Diary No(s). 13348/2023

(IA No. 66233/2023 - CONTEMPT PETITION

IA No. 66239/2023 - EXEMPTION FROM FILING O.T.

IA No. 66234/2023 - EXEMPTION FROM FILING PAPER BOOKS

IA No. 66236/2023 - PERMISSION TO APPEAR AND ARGUE IN PERSON)

Date : 01-05-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE M.M. SUNDRESH

For Parties

Mr. Anurag Gharote, Adv.
Mrs. Pragya Baghel, AOR

Petitioner-in-person

Mr. Satyajit A Desai, Adv.
Ms. Surbhi Godbole, Adv.
Mr. Siddharth Gautam, Adv.
Mr. Abhinav K. Mutyalwar, Adv.
Ms. Aishwariya Shinde, Adv.
Ms. Anagha S. Desai, AOR

Mr. Anurag Gharote, Adv.
Mrs. Pragya Baghel, AOR

UPON hearing the counsel the Court made the following

O R D E R

Miscellaneous Application No. 898/2021 and CONMT.PET.(C) No. 364/2021 in CrI.A. No. 730/2020

Learned counsel for the applicant - Rajnesh Naidu accepts that the payment of Rs.1,45,000/- (Rupees one lakh forty five thousands only) has been made to the non-applicant(s), and Rs.25,000/- (Rupees twenty five thousands only) has been deposited in the trial court.

There is non-compliance of the orders passed by this Court including the last order dated 17.03.2023, by which the applicant - Rajnesh Naidu was given last opportunity to clear 50% of the arrears. As per the learned counsel for the applicant- Rajnesh Naidu the arrears as on 24.11.2022 were Rs.5,75,000/- (Rupees five lakhs seventy five thousands only) . However, learned counsel for non-applicant no.1- Neha states that an amount of Rs.10,25,000/- (Rupees ten lakh twenty five thousand only) is due and payable.

While the order was being dictated, the applicant- Rajnesh Naidu has entered appearance through video conferencing. The applicant- Rajnesh Naidu accepts that his mobile no. is 9423103300 and he is residing at 1, Mecosa Bagh, Christian Colony, Nagpur, Maharashtra - 440014. The applicant- Rajnesh Naidu undertakes that he will not change his mobile number and the present address, without informing this court.

The applicant- Rajnesh Naidu states that he has recently undergone a surgery and would make payment of Rs.1,75,000/- (Rupees one lakh seventy five thousand only) on or before 30.06.2023.

In case the payment is not made by the said date, the

applicant- Rajnesh Naidu would appear in person before this Court, failing which, bailable warrants will be issued for his appearance.

We clarify that we have not stayed the proceedings pending before the executing court, which may continue in accordance with law.

Re-list on 10.07.2023.

CONTEMPT PETITION (CIVIL) Diary No(s). 13348/2023

Having heard the petitioner in person - Aakash Narayan, we are not inclined to issue notice in the present contempt petition. However, it will be open to the petitioner-in-person to take appropriate steps in the proceedings which are already pending or take recourse to appropriate remedies as may be available in law.

Recording the aforesaid, the contempt petition is dismissed in *limine*.

(BABITA PANDEY)
COURT MASTER (SH)

(BEENA JOLLY)
COURT MASTER (NSH)