

IN THE SUPREME COURT OF INDIA

INHERENT JURISDICTION

CONTEMPT PETITION (C) NO. 624 OF 2020

IN

CIVIL APPEAL NO. 5158 OF 2016

HSBC PI HOLDINGS (MAURITIUS) LIMITED

Petitioner(s)

VERSUS

PRADEEP SHANTIPERSHAD JAIN & ORS.

Respondent(s)

O R D E R

Pursuant to the order passed by this Court dated 02.09.2022, a further compliance report has been filed by the Commissioner of Police, Mumbai. In the report, it is stated that, after the earlier order passed by this Court, the respondents-Contemnor Nos. 1 to 3 herein have thereafter surrendered themselves and they are undergoing the sentence as imposed by this Court, while punishing them under the provisions of Contempt of Courts Act, 1971.

Learned counsel appearing on behalf of the respondents-Contemnor Nos. 1 to 3 has tendered unconditional apology on behalf of the contemnors for their conduct of fleeing the country and not appearing before this Court, despite the earlier specific Orders passed by this Court. Rishabh Pradip Jain, son of the Contemnor Pradeep Jain is also present in the Court. He has expressed regret on the part of the Contemnors. We do not accept the unconditional apology tendered on behalf of the contemnors. Their conduct to run away and flee out of country is unpardonable. However, considering the fact that now the respondents have surrendered and are in

judicial custody and undergoing the sentence, we close the present proceedings. However, we impose further cost of Rs. 10 lakhs, out of which Rs. 5 lakhs to be paid to the petitioner-HSBC PI Holdings (Mauritius) Limited, either to be paid by way of demand draft or to deposit through ECS in its bank account, particulars of which shall be furnished by the Petitioner. The aforesaid amount be paid within a period of 10 days from today. The balance amount of Rs. 5 lakhs to be deposited with the Registry of this Court within a period of 10 days from today. On such deposit, the same be transferred to the Mediation and Conciliation Project Committee (MCPC), Supreme Court.

It is also clarified that the order of attachment already passed earlier vide Order dated 02.09.2022 is directed to be continued till the disposal of the execution proceedings. We also direct that the execution proceedings be disposed of at the earliest and preferably within a period of 3 months from today.

As the respondents-Contemnors have surrendered, the earlier order dated 02.09.2022 directing to issue look-out notice in respect of Yogesh Sajjankumar Garodia and also against the Contemnors is, hereby, withdrawn.

With the aforesaid observations, the present contempt proceedings stands disposed of.

..... J.
(M.R. SHAH)

..... J.
(ANIRUDDHA BOSE)

New Delhi;
September 09, 2022.

ITEM NO.301

COURT NO.8

SECTION III

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

CONMT.PET.(C) No. 624/2020 in C.A. No. 5158/2016

HSBC PI HOLDINGS (MAURITIUS) LIMITED

Petitioner(s)

VERSUS

PRADEEP SHANTIPERSHAD JAIN & ORS.

Respondent(s)

([SPECIAL BENCH][PUT ON 9.9.2022 AT 2 P.M.]

IA No. 59120/2021 - APPLICATION FOR EXEMPTION FROM FILING ORIGINAL
VAKALATNAMA/OTHER DOCUMENT

IA No. 59118/2021 - APPLICATION FOR EXEMPTION FROM FILING ORIGINAL
VAKALATNAMA/OTHER DOCUMENT

IA No. 73365/2021 - APPLICATION FOR PERMISSION

IA No. 82521/2021 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 97662/2020 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 97663/2020 - EXEMPTION FROM FILING O.T.

IA No. 59119/2021 - GRANT OF INTERIM RELIEF)

Date : 09-09-2022 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s) Mr. Neeraj Kishan Kaul, Sr. Adv.
Mr. Rajendra Barot, Adv.
Ms. Liz Mathew, AOR
Ms. Priyanka Shetty, Adv.
Ms. Sherna Doongaji, Adv.
Ms. Sonali Jain, Adv.
Mr. Dhruv Sharma, Adv.
Mr. Dhaval Vora, adv.
Ms. Vasudha Jain, Adv.
Mr. Raghav Agarwal, Adv.
Mr. Toshiv Goyal, Adv.
Ms. Aarzoo Aneja, Adv.
Ms. Shilpa Ohri, Adv.

For Respondent(s) Mr. S.R. Singh, Sr. Adv.
Mr. Ankur Yadav, AOR

Mr. Siddharath Dharmadhikari, Adv.
Mr. Aaditya A. Pande, AOR.
Mr. Bharat Bagla, Adv.

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

The present contempt proceedings stands disposed of in terms of the signed order.

Pending applications also stand disposed of.

(R. NATARAJAN)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
ASSISTANT REGISTRAR

(Signed order is placed on the file)