

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 5752/2019
(ARISING FROM SLP(C) No. 27843/2017)

KAUSHALAYA DEVI & ORS.

APPELLANT(S)

VERSUS

KAUSHALAYA DEVI (SINCE DECEASED) THR LRS

RESPONDENT(S)

O R D E R

1. Leave granted.
2. The punishment of one month imprisonment each and a fine of Rs.2,000/- each was imposed upon the appellants, as apology was not tendered in spite of opportunity. It is submitted that the main matter has been decided in favor of contemnors and the appeal against the same has also been dismissed and the orders have attained finality on merits.
3. Learned counsel has submitted unconditional apology on behalf of the contemnors.
4. However, in the facts and circumstances, the amount of fine is enhanced from Rs.2,000/- to Rs.20,000/-. The imprisonment part is set aside and the appeal is allowed to that extent.
5. Application for direction is permitted to be withdrawn with the liberty to avail appropriate remedy.

6. Pending application(s), if any, shall stand disposed of.

.....J.
[ARUN MISHRA]

.....J.
[M.R. SHAH]

NEW DELHI;
JULY 22, 2019.

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

Petition(s) for Special Leave to Appeal (C) No(s). 27843/2017

(Arising out of impugned final judgment and order dated 21-09-2017 in CMP No. 158/2012 passed by the High Court of Himachal Pradesh at Shimla)

KAUSHALAYA DEVI & ORS.

PETITIONER(S)

VERSUS

KAUSHALAYA DEVI (SINCE DECEASED) THR LRS

RESPONDENT(S)

(IA No. 131202/2017 - CLARIFICATION/DIRECTION)

Date : 22-07-2019 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA

HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s) Mr. Dinesh K. Garg, Adv.
Mr. Abhishek Garg, Adv.
Mr. Dhananjay Garg, AOR
Mr. Deepak Mishra, Adv.

For Respondent(s) Ms. Ritu Rastogi, Adv.
Ms. Sasmita Tripathy, Adv.
Mr. Sanjay Kumar Visen, AOR

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

Leave granted.

In terms of the signed order, the appeal is allowed.

(NARENDRA PRASAD)
COURT MASTER

(JAGDISH CHANDER)
COURT MASTER

(Signed order is placed on the file)