

ITEM NO.33 + 60

COURT NO.2

SECTION III

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). 4332/2019

(Arising out of impugned final judgment and order dated 03-12-2018 in MCA No. 1268/2018 passed by the High Court Of Gujarat At Ahmedabad)

ANILBHAI RAMBHAI BHARWAD & ORS.

Petitioner(s)

VERSUS

THE STATE OF GUJARAT & ORS.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.24533/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.24534/2019-EXEMPTION FROM FILING O.T.)

WITH

S.L.P.(C) No. 4457/2019

(FOR ADMISSION and I.R. and IA No.25602/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.25603/2019-EXEMPTION FROM FILING O.T.)

Date : 15-02-2019 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.K. SIKRI
HON'BLE MR. JUSTICE S. ABDUL NAZEER

For Petitioner(s) Mr. Jayant Bhushan, Sr. Adv.
Mr. D.N. Ray, Adv.
Mr. Tattvam Patel, Adv.
Mr. Lokesh K. Choudhary, Adv.
Mr. Dillip Kumar Nayak, Adv.
Ms. Disha Ray, Adv.
Mrs. Sumita Ray, AOR

For Respondent(s)

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

It is the contention of Mr. Jayant Bhushan, learned senior counsel appearing for the petitioners, that delay was on the part of the respondents and not the petitioners and, therefore, the High

Court could not have dismissed the contempt petition on that ground.

We permit the petitioner to approach the High Court again by way of a review application pointing out the aforesaid fact. If the review application is filed within four weeks, the same shall be entertained on merits and shall not be dismissed on the ground of delay. In case, the review petition is rejected ultimately, we grant liberty to the petitioners to challenge the main order also.

The Special Leave Petitions are accordingly disposed of.

Pending applications, if any, stand disposed of.

(SUSHIL KUMAR RAKHEJA)
AR-CUM-PS

(RAJINDER KAUR)
BRANCH OFFICER