

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

CONTEMPT PETITION (CIVIL) Diary No(s). 3911/2022

(Arising out of impugned final judgment and order dated 13-11-2021 in C.A. No. No. 6649/2021 13-11-2021 in C.A. No. 6650/2021 13-11-2021 in C.A. No. 6651/2021 13-11-2021 in C.A. No. 6652/2021 passed by the Supreme Court Of India)

ARJUN SINGH & ORS.

Petitioner(s)

VERSUS

R D DHIMAN & ORS.

Respondent(s)

WITH

CONMT.PET.(C) No. 99-100/2022 in C.A. No. 6651/2021 (XIV-A)  
(FOR ADMISSION)

Date : 29-03-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.R. SHAH  
HON'BLE MRS. JUSTICE B.V. NAGARATHNA

For Petitioner(s) Mr. Abhinav Agrawal, AOR

Mr. Rajesh Kumar Gautam, AOR  
Mr. Anant Gautam, Adv.  
Mr. Nipun Sharma, Adv.  
Mr. Ravi Solanki, Adv.

For Respondent(s) Mr. Abhinav Mukerji, AOR  
Ms. Pratishtha Vij, Adv.  
Mrs. Bihu Sharma, Adv.  
Mr. Akshay C. Shrivastava, Adv.

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

A compliance affidavit on behalf of the respondents affirmed by Shri Manoj Kumar, Executive Director (Personnel) H.P State Electricity Board Ltd., Shimla has been filed, in which it is stated that now the judgment and order passed by this Court of which the non-compliance is alleged has been complied with vide communication/order dated 26.03.2022. So called unqualified and unconditional apology is tendered. However, on going through  
contd..

the apology, it cannot be said to be an unqualified and unconditional apology. In paragraph 3, it is stated as under -

".... If for any reason, this Hon'ble Court feels that Respondents have even inadvertently violated any order rendered by this Hon'ble Court, then the Respondents would, at the outset, tender unqualified and unconditional apology to this Hon'ble Court. The Respondents would like to clarify that the contents of this reply should not be construed as making an apology conditional or qualified."

The aforesaid cannot be said to be tendering unqualified and unconditional apology at all. Even otherwise, the learned counsel appearing on behalf of the applicants has vehemently submitted that even the compliance on 26.03.2022 cannot be said to be a total compliance of the judgment and order passed by this Court. It is submitted that order dated 26.03.2022 is an eye-wash and the judgment and order passed by this Court of which the non-compliance is alleged has not been totally and fully complied with and that too in its true spirit. The learned counsel for the applicants prays for time to file counter to the compliance affidavit.

Put up on 19.04.2022 on the top of the Board.

On the next date of hearing, i.e, 19.04.2022, Shri Manoj Kumar, Executive Director (Personnel) H.P State Electricity Board Ltd., Shimla to personally remain present before this Court.

Still one another opportunity is given to the respondents to comply with our judgment and order in its true spirit and in toto which would have a direct bearing on whether to accept the apology tendered on behalf of the respondents or not.

(NEETU SACHDEVA)  
COURT MASTER (SH)

(NISHA TRIPATHI)  
BRANCH OFFICER