

Court No. - 10

Case :- CONTEMPT APPLICATION (CIVIL) No. - 3286 of 2022

Applicant :- C/M Goel Tempo Pvt. Ltd. And Another

Opposite Party :- Sri L.V. Prabhakar, Chairman And 3 Others

Counsel for Applicant :- Vijay Kumar, Awadhesh Kumar Mishra

Hon'ble Rohit Ranjan Agarwal, J.

On 04.07.2022, counsel appearing for the opposite party/Bank was granted time to seek instructions in the matter.

Today, Sri K.M. Asthana, Advocate has put in appearance on behalf of Bank and submits that three conditions which were laid down in the order dated 07.01.2010 passed in Writ-C No. 70403 of 2009 has not been complied with by applicants and moreover another writ petition has been filed by the applicant being Writ-C No. 1323 of 2022 wherein according to learned counsel for opposite party, no claim has been made that the Bank is in contempt of order dated 07.01.2010.

When confronted with the said fact, learned counsel appearing for the applicants could not deny the fact that there is no disclosure of said fact in filing Writ-C No. 1323 of 2020. However, he invited the attention to para 24 of the contempt application wherein averment has been made to the extent that in compliance to the said order dated 07.01.2010, the applicant is regularly and periodically depositing the sale proceedings.

It appears to the Court that the present contempt application has been moved by the applicants only to pressurise the Bank and not to proceed with securitisation proceeding under Section 13(2) and 13(4) of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

Let a counter affidavit be filed by the Bank bringing on record the entire material within three weeks.

List this matter in September, 2022.

Order Date :- 1.8.2022

V.S.Singh