

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2016

CORAM

THE HON'BLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

Contempt Petition No.2640 of 2015

Gemini Communication Limited,  
having its registered office at  
No.1, Dr.Ranga Road,  
Alwarpet, Chennai-18  
and represented by its Officer  
K.Radhakrishnan, G.M. (Legal) .... Petitioner

Vs

- 1.Vijayaraghavan Govindarajan,  
Director,  
Professional Impex Pvt. Ltd.,  
registered office at First Floor,  
Harbans Bhawan-I,  
DDA Business Complex,  
Nagai Raya,  
New Delhi-110 046.
- 2.Shiv K.Tyagi, Advocate,  
Sole Arbitrator,  
21-22, KrishanKunj Colony,  
Laxmi Nagar,  
Delhi-110 092. .... Respondents

Contempt Petition filed under Section 11 of the Contempt of Courts, Act, 1971 punish the respondents for disobedience of the order dated 21.8.2015 in A.No.5655 of 2015 in O.P.No.659 of 2015.

For Petitioner .. Mr.J.Sivanandaraaj  
For Respondents .. Mr.S.Shyamkumar for R1  
Mr.Shiv K.Tyagi - R2  
appeared in person

\* \* \* \* \*

**ORDER**

The only defence pleaded in this contempt proceeding is ignorance of the interim orders passed by this Court on 21.8.2015. Apart from this, the first respondent has filed

an unconditional apology. The second respondent, the Arbitrator, who also appears to be an Advocate, has also tendered his unconditional apology vide reply filed in Court dated 31.03.2016.

2. From the records, it is difficult to accept the explanation of ignorance for the simple reason that the tracking report of the Postal Department shows that the first respondent was served on 29.8.2015, while the second respondent being the Arbitrator was served on 31.8.2015. There was thus no occasion to make an Award on 07.9.2015.

3. The Award has already been set aside and a new Arbitrator was appointed in O.P.No.659 of 2015.

4. In view of the unconditional apology tendered by the respondents, I am inclined to take a more lenient view of the matter and discharge the notice of contempt with warning to both the respondents to be more careful in future.

5. The contempt petition, accordingly, stands closed in the aforesaid terms.

bbr

SD/-  
DEPUTY REGISTRAR(OS)

//Certified to be true copy//

Dated at Madras this the        day of        2016.

COURT OFFICER(O.S.)

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