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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 489/2017**

VANDANA CHAK Petitioner
Through Mr. Ashutosh Dubey and
Mr. Abhishek Chauhan, Advocates.

versus

P K JAIN Respondent
Through Mr. Ajjay Aroraa, Adv. for SDMC.
Ms. Rajni Anand, Adv. for R-2 & 3

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

% **30.01.2018**

CM No. 29863/2017 (Exemption)

Allowed subject to just exceptions.

Review Petition No.331/2017 in CONT.CAS(C) 489/2017

The instant petition seeks review of the order dated 17.07.2017, whereby, the contempt petition filed by the petitioner was dismissed.

The contempt petition proceeded on the premise that the status report by way of an affidavit filed by the respondent-Mr. P.K. Jain in pursuance of the directions given by the Court was false and misleading and attracted initiation of contempt proceedings against him. The said petition was disposed off vide order dated 17.07.2017, with the observations, as follows:

“Whether the report filed as such was complete or bereft of the required details, is a subject, which could be gone into by the Court, while hearing WP(C) 9633/2015. Prima facie, I do not see any merit in the instant petition and is therefore, dismissed.”

It is strenuously contended by the ld. counsel for the petitioner that though the aspect of the correctness of the status report filed by the respondent had been kept open to be gone into in W.P.(C) 9633/2015, any action that may ultimately be required to be initiated against the respondent, is pre-empted, with the order of dismissal of the contempt petition. It is therefore contended that the petitioner would be satisfied, if, the review petition is disposed off clarifying that the dismissal of the contempt petition vide order dated 17.07.2017 shall not come in the way of initiation of any action against the respondent, in the event, it ultimately turns out that the statements made before the Court by way of affidavit by respondent were false and were intentionally made to mislead the Court. To the said limited extent ld. Counsel for the respondent does not have any objection. The instant petition is therefore disposed off clarifying that the dismissal of contempt petition vide order dated 17.07.2017 shall not come in the way of initiation of any action(s) against the respondent, in the event, the allegations made by the petitioner ultimately turn out to be true.

Instant Review Petition stands disposed off accordingly.

A. K. CHAWLA, J

JANUARY 30, 2018

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