IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 261 OF 2018
IN
WRIT PETITION NO. 1069 OF 2017

Asset Reconstruction Company (India) Ltd. in the matter of V. Hotels Ltd. (Formerly known as Tulip Hospitality Services Limited.	}	Applicant
versus		
Asset Reconstruction Company (India) Ltd. and Ors.	}	Respondents

Mr. Ravi Kadam-Senior Advocate with Mr. Siddharth Ranade, Mr. Vividh Tandon and Ms. Shivani Garg i/b. M/s. Trilegal for the applicant.

Mr. Venkatesh Dhond-Senior Advocate with Mr. Prathamesh Kamat, Mr. T. N. Tripathi and Ms. Sapna Rachure i/b. M/s.T. N. Tripathi and Co. for the respondent/original petitioner.

CORAM :- S. C. DHARMADHIKARI &
PRAKASH. D. NAIK, JJ.

DATED :- JUNE 15, 2018

P.C. :-

1. After this matter was heard briefly and we perused the notice of motion and the annexures thereto with the assistance of the learned senior counsel, we are of the clear opinion that the

order passed on 25th April, 2017 does not suffer from any ambiguity or clerical error so as to be clarified and merely because one of the parties to the earlier writ petition, in which that order was passed, has initiated contempt proceedings.

2. It would be open for the applicant in this motion especially to urge that proceedings under a law made by the Parliament and seeking to enforce the rights of the applicant thereunder would not mean the order of the Division Bench is breached and violated, much less intentionally and deliberately so as to be guilty of civil contempt. Equally, it would be open for the contempt petitioner to argue otherwise. All such contentions are kept open for being raised irrespective of the disposal of this notice of motion. The notice of motion is, therefore, disposed of.

(PRAKASH.D.NAIK, J.) **(S.C.DHARMADHIKARI, J.)**