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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CONT.APP.(C) 4/2018**

V.K GUPTA & ORS

..... Appellants

Through: Mr. R.V. Sinha and Mr. A.S. Singh,
Advocates.

versus

**FOREST DEVELOPMENT CORPORATION OF MAHARASTRA
LTD**

..... Respondent

Through: None.

CONT.APP.(C) 5/2018

V.K GUPTA & ORS

..... Appellants

Through: Mr. R.V. Sinha and Mr. A.S. Singh,
Advocates.

versus

**GUJRAT STATE FOREST DEVELOPMENT CORPORATION
LTD**

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

01.05.2018

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CM No. 17540/2018 in CONT.APP.(C) 4/2018

Exemption allowed subject to all just exceptions.

CONT.APP.(C) 4/2018 and CONT.APP.(C) 5/2018

These intra court appeals impugn order dated 29th January, 2018 passed by the single Judge in Contempt Case Nos. 840/2012, 842/2012 and 838/2012. The impugned order reads as under:-

“After hearing the arguments of the learned counsel for the parties for some time this Court deem it appropriate to direct the presence of a competent Officer of the level of Director of the respondents, who is also familiar with the facts of these cases to remain present in the Court on the next date of hearing.

Re-notify on May 03,2018.”

We do not think that impugned order is appealable under Section 19 of the Contempt of Courts Act, 1971.

Stated contempt petitions have been filed for non-compliance of the order dated 15th April, 2010 passed by the learned single Judge in Writ Petition (C) No. 2815/1999, Forest Development Corporation of Maharashtra Limited versus Union of India and other writ petitions as modified vide order dated 8th March, 2011 passed in the review application.

The aforesaid orders were upheld by the Division Bench of this Court in LPA No. 470/2011 with one modification that the time for compliance was extended by three months.

Issue raised in the contempt petitions relates to quantification and whether the amount calculated by the appellant is in terms of the directions given in the orders dated 15th April, 2010 read with order dated 8th March, 2011 and affirmed by the Division Bench in order dated 8th August, 2011.

We do not think that the presence of the officer of the level of the director in the said situation is unjustified. Calculations etc. made by the appellant, it is apparent, is required to be explained and elucidated. The appeal has no merit and is dismissed. We clarify that we have not expressed any opinion on merits.

SANJIV KHANNA, J.

CHANDER SHEKHAR, J.

MAY 01, 2018
MR/pk