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

+ **CONT.CAS.(CRL) 11/2018, Crl.M.A. Nos. 30123,31153/2018**

COURT ON ITS OWN MOTION Appellant

Through: Mr. Karan, Adv.

versus

MOHD. MAIRAJ PROPRIETOR M/S NM SHOE FACTORY

..... Respondent

Through: Mr. Shailen Bhatia with Mr. Neeraj
Chaudhari, Ms. Neelam and Ms.
Saakshi Agarwal, Advs with
Contemnors in person.

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE I.S.MEHTA

ORDER

16.11.2018

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Learned counsel for the respondent has produced before the Court the original receipt issued by the Prime Minister's Relief Fund which shows that the respondent has deposited an amount of Rs.10,00,000/- by Draft No. 917162, dated 30.10.2018 in the said Fund. Mr. Bhatia states that he has already filed a copy of the said receipt in the Registry. The same has not come on record. Another copy has been tendered in court today which has been certified by the respondent as true copy and is taken on record.

In this case, this Court initiated contempt proceedings against the respondent on account of the obstruction caused by the respondent at the time of the execution of the Local Commission by the Local Commissioner. Though the said conduct of the respondent tantamounts to interference with the due course of judicial proceedings, the submission of the respondent is

that it was on account of his ignorance that he had indulged in such conduct. To show his bona fides he has deposited an amount of Rs. 10,00,000/- in the Prime Minister's National Relief Fund voluntarily and of his own volition. The purpose of subjecting a contemnor to punishment under the Contempt of Court Act is to uphold the majesty and authority of the Court and also to send a stern and clear message to all others – not to indulge in a conduct which falls foul of the authority of the Court. Punishments for contempt of Court are inflicted with a view to preserve the rule of law and in the larger societal interest.

In our view, the conduct of the respondent in voluntarily, of his own volition depositing a substantial amount of Rs.10,00,000/- in the Prime Minister's National Relief Fund, in the facts of the present case are sufficient to warrant this Court taking a lenient view of the matter and in not proceeding further with the contempt proceedings any further.

We, accordingly, drop the contempt proceedings against the respondent while cautioning him that, in future, such indulgence may not be shown if, in case, he is found indulging in contumacious conduct.

The proceedings are, accordingly, closed.

VIPIN SANGHI, J

I.S.MEHTA, J

NOVEMBER 16, 2018

N.Khanna