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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.APP.(C) 10/2018 & C.M. Nos. 33705-706/2018**
HITENDER KUMAR MEHTA Appellant
Through: Mr. J.K. Mittal, Mr. Rajveer Singh and
Mr. Sameer Gupta, Advocates.
versus
INSTITUTE OF COMPANY SECRETARIES OF INDIA (ICSI)
..... Respondent
Through: Mr. R.D. Makheeja, Advocate.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **21.08.2018**

1. The petitioner is aggrieved by an order dated 27.7.2018, passed by the learned Single Judge in CONT. CAS (Civil) No. 55/2018 whereunder he had raised a grievance that the respondent/ICSI had not complied with the order dated 22.5.2018, passed in W.P.(C) No. 5563/2016 filed by him.
2. Vide order dated 27.7.2018, learned Single Judge has disposed of the contempt petition by observing that the grievance of the petitioner that the respondent has not proceeded with due dispatch *qua* the respondent No.2, Mr. Rajeev Bajaj, in W.P.(C) No. 5563/2016, appeared to be justified but keeping in view the procedure as contemplated under Rule 18 of the Company Secretaries (Procedure of Investigations of Professional and other Misconduct and Conduct of Cases) Rules, 2007. Learned counsel for the appellant contends that instead of initiating any action against the respondent, the learned Single Judge has directed the respondent to complete the entire proceedings on or before 30.10.2018.

3. At the outset, we have requested learned counsel for the petitioner to address this Court on the maintainability of the present appeal in the light of the provision of Section 19 of the Contempt of Courts Act, 1971 that postulates that “*an appeal shall lie as of right from any order or decision of the High Court in the exercise of its jurisdiction to punish for contempt*”.

4. Learned counsel for the petitioner seeks time to address arguments, which we have declined, particularly when we find that the Registry had also raised an objection with regard to the maintainability of the appeal, to which learned counsel for the petitioner had replied on 18.8.2018, stating that ‘*there has been violation of the Contempt Case (Civil) No. 551/2018*’, which is neither here nor there.

5. We decline to entertain the present appeal as it is not maintainable under Section 19 of the Contempt of Courts Act, 1971. The same is dismissed along with the pending applications.

HIMA KOHLI, J

REKHA PALLI, J

AUGUST 21, 2018

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