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

+ W.P.(C) 7891/2017 with CM No.32604/2017 (stay),
CM Nos. 34028/2017 & 44137/2017 (for additional documents)

INDIAN INSTITUTE OF MASS
COMMUNICATION (IIMC)

..... Petitioner

Through: Mr.Prashant Kumar, Mr.Amit Singh
& Ms.Triveni Potekar, Advocates

versus

SHIVAJI SARKAR

..... Respondent

Through: Ms.Gemini Sharma, proxy counsel
for Mr.R.K.Saini, Advocate with
respondent in person

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

% **30.01.2018**

1. Proxy counsel appearing for Mr.R.K.Saini, Advocate states that the arguing counsel is indisposed and unable to appear in Court today. On enquiring from learned counsel for the petitioner as to the next date of hearing before the Tribunal, he states that the next date fixed is 07.02.2018.

2. In that eventuality, we do not see any reason to keep the present petition pending. Liberty is granted to the petitioner to take all the pleas, both on facts and in law, before the Tribunal for seeking vacation of the interim order dated 23.08.2017, passed in O.A.No. 2857/2017, filed by the

respondent herein. The Tribunal is requested to consider the said submissions and pass an order on the interim application filed by the respondent on the next date.

3. It is, however, clarified that till the O.A. filed by the respondent is disposed of, no coercive steps shall be taken against the petitioner in the pending Contempt Petition filed by the respondent on the basis of the Memorandum dated 03.10.2017, issued to him by the petitioner, calling upon him to explain the reasons for deliberately defying and violating the directions of the Tribunal.

4. The petition is disposed of, along with pending application.

5. It is made clear that neither the petitioner nor the respondent shall be accommodated for an adjournment before the Tribunal on the next date and in the event counsels for either the petitioner or the respondent are not in a position to appear on the date fixed for any reason, then alternate arrangements shall be made well in advance.

HIMA KOHLI, J.

REKHA PALLI, J.

JANUARY 30, 2018

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