

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2020

Coram

The Hon'ble Mr. Justice **M.M.SUNDRESH**

and

The Hon'ble Mr. Justice **D.KRISHNAKUMAR**

Cont P No 842 of 2020

P.Aratya

... Petitioner

R.Srivatsan

... Respondent

-VS-

Petition filed under Section 11 of the Contempt of Courts Act, 1971

to punish the respondent for the willful disobedience of the order of this
Court dated 12.12.2019 in CMA No. 4595 of 2019.

For Petitioner : Mr.Arvind Subramanyam

For Respondent : Mr.D.Saikumaran

ORDER

[Order of the Court was made by *M.M.SUNDRESH, J.*]

This contempt petition has been filed by the petitioner interalia alleging that the order passed by this Court in C.M.A.No.4595 of 2019 has not been complied with.

2.Heard the learned counsel appearing for the parties.

3.While the learned counsel appearing for the petitioner submitted that as on 07.10.2020, a sum of Rs.1,56,000/- is due, learned counsel appearing for the contemnor submitted that there is serious inability on the part of the contemnor to comply with the order passed. However, he is paying the amount in instalments before the Execution Court and the execution petition is yet to be closed. Learned counsel to show his bonafide has given a sum of Rs.36,000/- by way of cash which has been handed over in person to the learned counsel for the petitioner.

4. Admittedly the execution petition is pending. In such view of the matter, we do not wish to keep the contempt petition pending before us. The parties can get appropriate orders in the said execution petition pending in E.P.No.101 of 2018.

5. With the abovesaid observation, this contempt petition stands closed. However, liberty is also given to the contemnor to file an appropriate petition in the pending execution petition, if so advised.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

mmi/ssm

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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SMI/11/01/2021