

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2020

CORAM

THE HONOURABLE **Dr. JUSTICE ANITA SUMANTH**

Contempt Petition No.1774 of 2017
Sub.A.No.61 of 2018

M/s. URC Constructions Private Ltd.,
H-102, Periya Nagar,
Erode-638 001.

....Petitioner

Vs.

1.Shri G.Kalyan Krishnan
Chief Executive
Nuclear Fuel Complex,
Government of india,
Department of Atomic Energy,
3rd Floor, Sarathi Building,
ECIL (Post)
Hyderabad-500 062

2.Shri K.Ramesh,
Administrative Officer,
Nuclear Fuel Complex,
Government of india,
Department of Atomic Energy,
3rd Floor, Sarathi Building,
ECIL (Post)
Hyderabad-500 062

... Respondents

Prayer:- Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the respondents herein for committing contempt of Court by wilful disobedience of the order dt. 17.08.2017 made in A.No.1855/2016 in OP.No.266/2016.

For Petitioner : Mr.V.P.Sengotuvel for
Mr.S.U.Baranidharan
For Respondent : Mr.S.M.Deenadayalan

O R D E R

The present Contempt Petition has been filed challenging non-compliance with an interim order passed by this Court on 17.08.2017, in A.No.1855 of 2017 in O.P.No.266 of 2016.

2. The interim order directed release of a bank guarantee and security deposit within a period of four weeks. Admittedly, the order was not complied with, triggering the present contempt petition.

3. An O.S.A. was filed against the aforesaid interim order which was closed by the Division Bench on 01.03.2018 directing expeditious disposal of the Original Petition.

4. On 05.02.2018, statutory notice was issued in the Contempt Petition directing the respondents to appear in person as against which a Petition for Special Leave was filed. A Special Leave Petition challenging order dated 17.08.2017 was also filed though order dated 17.08.2017 had been challenged by way of Original Side Appeal in O.S.A.No.337 of 2017 as well, as narrated above.

5. Both SLPs were disposed on 18.11.2018 in the following terms:

Heard learned counsel appearing for the parties.

We are informed that the Section 34 petition has not yet been disposed of. We request the Madras High Court to take up this matter and dispose of the same within a period of eight weeks from today.

The special leave petitions stand disposed of.

Pending applications stand disposed of.

6. The Original Petition filed in terms of Section 34 of the Arbitration and Conciliation Act, 1996 has been dismissed on 10.01.2020.

7. In the light of the narration of the facts as aforesaid, nothing survives in this contempt petition as what remains is for the petitioner to take appropriate measures in law to execute order dated 10.01.2020.

8. Recording the above, this contempt petition is closed. Connected application is also closed. No costs.

SD/-

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ASSISTANT REGISTRAR (COMM.CASES)

//Certified to be true copy//

Dated at Madras this the day of 2020.

COURT OFFICER (O.S.)

from 25th day of September 2008 the Registry is issuing Certified copies of the Orders/Judgments/Decrees in this

SMI/12/02/2020

To

1. The Chief Executive
Nuclear Fuel Complex,
Government of india,
Department of Atomic Energy,
3rd Floor, Sarathi Building,
ECIL (Post)
Hyderabad-500 062.
2. The Administrative Officer,
Nuclear Fuel Complex,
Government of india,
Department of Atomic Energy,
3rd Floor, Sarathi Building,
ECIL (Post)
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