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Cont.P.No.870 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 21/10/2021

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

Contempt Petition No.870 of 2021

The Waterbase Limited
A company registered under the
Companies Act, 1956
rep. By its Authorised Signatory
Mr.M.Kumaravel
Registered Office at
Ananthapuram Village, Thotapalli
Gudur Mandal
Nellore District 524 344.
Also at
Thapar House
No.37 Montieth Road, Egmore
Chennai 600 008.

... Petitioner/Applicant

Vs

1. Ashitkumar Rajanikant Joshi
2. Varsha Ashitkumar
3. Narendrakumar Vindhyachal Singh
4. Gita Narendra Singh
- 5.

... Respondents

PRAYER : Petition filed under Section 11 of the Contempt of Courts Act, to punish the respondents for contempt and willful disobedience of the order dated 19/3/2021 passed by this Court in A.No.115 of 2021.

For Petitioner : Mr.Adarsh
For Respondents : Notice returned - unserved

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ORDER

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This Contempt Petition has been filed to punish the respondents for contempt and willful disobedience of the order, dated 19/3/2021, passed in A.No.115 of 2021.

2. Heard Mr.Adarsh, learned counsel for the applicant.

3. Learned counsel appearing for the applicant submitted that being the Directors of M/s.Wave Aquatic Private Limited, the respondents are clearly in connivance with each other to deliberately and willfully breach the direction of this Court to furnish a Bank Guarantee of Rs.7,02,20,683.13.

4. Mere violation cannot be termed as contempt in all the matters. As the applicant has already invoked the arbitration, it is for him to work out his remedy under Section 17 of the Act before the learned Arbitrator.

5. In such a view of the matter, this Contempt Petition is closed. Consequently, Sub Application No.237 of 2021 is closed.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

mvs

//Certified to be true copy//

Dated at Madras this the day of 2022.

COURT OFFICER(O.S.)

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CS/31/01/2022

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