



Neutral Citation Number 2023:DHC:4769-DB

\$~35 to 43

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

% Date of decision: 11th July, 2023

35

+ CONT.APP.(C) 25/2023 & CAV 286/2023 & CM APPLs.
28878-28881/2023

MR. ASHISH KUNDRA AND ANR Appellants

versus

A.B.GRAIN SPIRITS PVT. LTD AND ORS Respondents

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+ CONT.APP.(C) 26/2023 & CM APPLs. 29110-29113/2023

ASHISH KUNDRA AND ANR Appellants

versus

METRO TRANSIT PVT. LTD AND ORS Respondents

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+ CONT.APP.(C) 27/2023 & CM APPLs. 29117-29120/2023

MR. ASHISH KUNDRA AND ANR Appellants

versus

M/S ANTONY ROAD TRANSPORT SOLUTIONS PRIVATE
LIMITED AND ORS Respondents

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+ CONT.APP.(C) 28/2023 & CM APPLs. 30892-30894/2023

MR. MANISH KUMAR GUPTA Appellant

versus



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39 METRO TRANSIT PVT. LTD AND ORS Respondents

+ CONT.APP.(C) 29/2023 & CM APPL. 30938-30940/2023

MR. NARESH KUMAR Appellant

versus

40 A.B. GRAIN SPIRITS PVT. LTD AND ORS Respondents

+ CONT.APP.(C) 30/2023 & CM APPLs. 30944-30946/2023

MR. NARESH KUMAR Appellant

versus

41 METRO TRANSIT PVT. LTD AND ORS Respondents

+ CONT.APP.(C) 31/2023 & CM APPL. 31069-31071/2023

MR. MANISH KUMAR GUPTA Appellant

versus

42 ANTONY ROAD TRANSPORT SOLUTIONS PVT. LTD.
AND ORS Respondents

+ CONT.APP.(C) 32/2023 & CM APPLs. 31075-31077/2023

NARESH KUMAR Appellant

versus



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ANTONY ROAD TRANSPORT SOLUTIONS PVT. LTD.
AND ORS Respondents

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+ CONT.APP.(C) 33/2023 & CM APPLs. 31078-31080/2023

MR. MANISH KUMAR GUPTA Appellant

versus

A.B. GRAIN SPIRITS PVT. LTD. AND ORS..... Respondents

Advocates who appeared in this case:

For the Petitioner: Mr. Gaurab Banerji, Sr. Advocate with
Mr. Satyakam, ASC.

For the Respondents: Mr. Ankit Virmani, Mr. Anunay Mehta and
Ms. Malvika Arya, Advocates in
CONT.APP.(C) 25/2023 and
CONT.APP.(C) 29/2023

Mr. Sushil Dutt Salwan, Sr. Advocate
with Mr. Aditya Garg and Mr. Arjun
Garg, Advocates in CONT.APP.(C) 26/
2023, CONT.APP.(C) 27/2023,
CONT.APP.(C) 28/2023, CONT.APP.(C)
30/2023, CONT.APP.(C) 31/2023,
CONT.APP.(C) 32/2023

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Appellants impugn order dated 21.04.2023, whereby, learned



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Single Judge has held the appellant guilty of contempt for willful disobedience of order dated 06.12.2017 in respective writ petitions filed by respondents.

2. Learned senior counsel appearing for the appellants submits that the learned Single Judge has erred in holding the appellants guilty of contempt. He, however, without prejudice, submits that a settlement has been arrived at between the parties and appellants have agreed to pay certain amounts as agreed between the parties and recorded in Minutes of meeting dated 06.07.2023 held between the Principal Secretary-cum-Commissioner, Transport with the respondents. Minutes of meeting dated 06.07.2023 have been produced in Court. The same are taken on record.

3. Learned senior counsel for respondents submits that in view of the settlement arrived at between the parties and the assurance given that the amount shall be paid within 48 hours from now, he has instructions not to press the contempt petition and on payment of the amount, withdraw the contempt petition.

4. In view of the above, the appeals are disposed of on the assurance given by the appellants that the amount shall be paid within 48 hours from now.

5. It is directed that in case the respective amount, as agreed upon in the Minutes of meeting dated 06.07.2023, is paid on or before the end of working hours of 13.07.2023, the petitions which are listed



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before the learned Single Judge on 14.07.2023, shall be deemed to have been dismissed as withdrawn and the impugned order dated 21.04.2023 set aside with the consent of the parties. However, in case the amount is not paid as assured, respondents would be at liberty to proceed further with the contempt proceedings in accordance with law.

SANJEEV SACHDEVA, J

MANOJ JAIN, J

JULY 11, 2023
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