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

Judgment delivered on: 26.09.2023

+ CONT.APP.(C) 52/2023 & CM APPLS. 50082-83/2023

S. RAGUNATHAN, CHAIRMAN, BALVANTRAY MEHTA
VIDYA BHAWAN & ORS. Appellants

versus

MUNNA LAL & ANR. Respondents

+ CONT.APP.(C) 53/2023 & CM APPLS. 50096-97/2023

S RAGUNATHAN CHAIRMAN BALVANTRAY
MEHTA VIDYA BHAWAN & ORS. Appellants

versus

RAGHU RAJ KUMAR & ANR. Respondents

Advocates who appeared in this case:

For the Petitioner: MS. Meenakshi Kalra and Mr. Anurag Malik,
Advocates.

For the Respondents: Ms. Karishma Maria, Advocate for R-1 (CONT.
APP. (C) 52 & 53/2023
Mr. Nirvikar Verma, SPC for UOI/R-1 & R-2

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA
HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Appellants impugn respective orders both dated 01.08.2022



passed in the petitions filed by the respondents seeking initiation of proceedings of contempt against the appellants.

2. By the impugned order, learned Single Judge has disposed of the contempt without initiating any proceedings of contempt against the appellants. However, certain directions have been issued to the appellants to make payment.

3. Learned counsel appearing for the respondents raises a preliminary objection with regard to the maintainability of the present appeals. She submits that in view of the judgment of the Supreme Court in '*D.N. Taneja Vs. Bhajan Lal (1988) 3 SCC, page 26*', appeal is not maintainable under Section 19 of the Contempt of Courts Act as the Court has not exercised jurisdiction of contempt.

4. Learned counsel for the appellants submits that appellants had preferred a Letters Patent Appeal against the said, however, on an objection being raised by the Registry, she has filed the present contempt appeals.

5. Faced with the said objection, learned counsel for the appellants seeks liberty to withdraw the present appeals reserving the right of the appellants to pursue appropriate remedy in accordance with law.

6. In view of the above, appeals are dismissed as withdrawn with liberty as prayed for. All rights and contentions of the parties are reserved.

CM APPL. 50084/2023 (condonation of delay) in CONT.APP. (C)-52/2023

CM APPL. 50098/2023 (condonation of delay) in CONT.APP. (C)-53/2023



7. Learned counsel for the appellant submits that appellants have initially filed an intra-court appeal within time, however, since Registry has raised an objection she has filed the subject contempt appeals.
8. In view of the above submission, the application seeking condonation of delay is allowed. Delay in filing the appeals is condoned.
9. The applications are disposed of.
10. Order *dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

MANOJ JAIN, J

SEPTEMBER 26, 2023

‘rs’