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

+ **CONT.CAS(C) 401/2022**

CERAGEM INDIA PRIVATE LIMITED

.....Petitioner

Through: Mr. Bipin Bihari Singh and Ms.
Mahua Bose, Advocates with Mr.
Karnal Bhatla, AR.

versus

SHRI ARUN HALDER & ORS.

.....Respondents

Through: Mr. T. P. Singh, Sr. Central Govt.
Counsel for NCSC.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

16.12.2024

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1. The Petitioner has alleged that Respondents have committed a contempt of the order dated 08th March, 2022 passed by this Court in W.P.(C) 3907/2022, whereby the proceedings before the National Commission for the Scheduled Castes¹ had been stayed. The Petitioner alleges that despite intimation of the aforesaid stay order, the Respondent Commission continued to hold the proceedings on 09th March, 2022, thereby committing contempt of the Court.

2. In this regard, Respondent Nos. 1 and 2 have filed counter affidavit, wherein they have stated as follows:

“d. That as and when the Answering Respondents came to know of the fact that this Hon’ble Court vide its order dated 08.03.2022 was pleased to

¹ “NCSC”



inter-alia grant a stay of the proceedings before the Commission and operation of the order dated 25.02.2022 till the next date of hearing, the summons as well as the minutes of the Commission's proceedings were withdrawn in compliance of the said order, upon instructions of the Vice Chairman of the Commission."

3. When the petition was taken up for hearing, this Court on 12th April, 2022 directed as follows:

"CM APPL. 17931/2022 & 17932/2022 (Exemption)

Allowed, subject to all just exception.

The applications shall stand disposed of.

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The record reflects that an interim order was passed by the Court on 09 March 2022. The said order is stated to have been brought to the attention of the Commission by counsel appearing for the petitioner on 10 March 2022. Despite the same, a perusal of the record reflects that minutes of an order stated to have been passed on 09 March 2022 was signed on 14 March 2022. Learned counsel for the opposite party Nos. 1 and 2 apprises the Court on instructions that the aforesaid minutes were withdrawn on 14 March 2022 itself. In view of the above, let the said stated order passed by the Vice Chairperson be produced for the perusal of the Court.

List on 13.04.2022."

4. Thereafter, this Court passed the following order on 13th April, 2022:

"Learned counsel representing the Commission states that the action in respect of which contempt is alleged was essentially on account of an inadvertent oversight. He prays for liberty to enable the Secretary of the Commission to place on the record an unconditional apology on its behalf.

List again on 29.04.2022."

5. In compliance of the aforesaid directions, the Respondents have filed their compliance affidavit, stating as follows:

"10. That the present matter was listed before this Hon'ble Court on 12.04.2022, when this Hon'ble Court was interaila pleased to direct the deponent to produce the order, dated 14.03.2022 passed by deponent department withdrawing the summons.

11. That in compliance of order dated 12.04.2022, deponent filed an affidavit dated 12.04.2022. True copy of the affidavit dated 12.04.2022 is annexed as ANNEXURE-R-5.

12. That the matter was again listed on 13.4.22, when this hon'ble Court



- was interalia pleased to grant the liberty to enable the Secretary of the commission to place on record an unconditional apology on its behalf.*
13. *That, it is humbly submitted that answering respondent have highest regard for this Hon'ble Court and is further submitted that the action in respect of which contempt is alleged was essentially on account of an inadvertent oversight and an unconditional apology is tendered by deponent.*
14. *That, the deponent hereby assures this Hon'ble Court that adequate care shall be taken so that such mistakes do not occur in future.*
15. *That, deponent's department had and shall always have the highest regard for the orders and directions of this Hon'ble Court."*

6. The aforesaid compliance affidavit makes it clear that the Respondents have now tendered an unconditional apology to the Court for the lapse on their part. The Court has considered the explanation furnished by the Respondents with respect to the error committed, as well as the remedial steps undertaken by them. In light of the above, the Court accepts the apology rendered by the Respondents. Accordingly, the present proceedings stand closed.

7. In light of the foregoing, the present petition is disposed of.

SANJEEV NARULA, J

DECEMBER 16, 2024

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