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

+ **CONT.APP.(C) 22/2024**

RAJESH GUPTAAppellant

Through: Mr. Vikas Arora & Mr. Ayush
Gupta, Advs.

versus

RAJIV OBEROIRespondent

Through: Mr. Amit Sherawat & Mr. Dev
Raj, Advs.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

% **04.11.2024**

CM APPL.63867/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

CONT.APP.(C) 22/2024 & CM APPL. 63866/2024

3. On being confronted with the proposition that an appeal under Section 19 of the Contempt of Courts Act, 1961 would not be maintainable against the Impugned Order dated 25.09.2024 passed by the learned Single Judge in Contempt Case (Civil) No.488/2019 titled ***Rajiv Oberoi v. Rajesh Gupta***, as the appellant has only been found guilty of committing contempt, however, no punishment has been awarded to the appellant thus far, the learned counsel for the appellant prays for leave to withdraw the present appeal and take his remedies



in terms of the Judgment of the Hon'ble Supreme Court in ***Ajay Kumar Bhalla & Ors. v. Prakash Kumar Dixit***, 2024 SCC OnLine SC 1874 in an intra-court appeal.

4. In view of the submissions made, the present appeal is disposed of as withdrawn with liberty as prayed for.

5. It is, however, made clear that this Court has not expressed any opinion on the merits of the contentions raised in the present appeal by either of the parties. Needless to state that the present Order shall also not bar the appellant from filing an appeal under Section 19 of the Contempt of Courts Act, 1961 in case by any subsequent order punishment is awarded to the appellant by the learned Single Judge in the pending contempt proceedings.

NAVIN CHAWLA, J

SHALINDER KAUR, J

NOVEMBER 4, 2024/ab/B/VS

Click here to check corrigendum, if any