HC-KAR
NC: 2026:KHC:54690-DB
CCC No. 419 of 2023
CNR: KAHC010211102023

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 1ST DAY OF OCTOBER, 2026**

**PRESENT**

**THE HON'BLE MR. JUSTICE D K SINGH**

**AND**

**THE HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN**

**CIVIL CONTEMPT PETITION NO. 419 OF 2023**

**BETWEEN:**

1. MR SHIVAKUMAR BAJAJ
   S/O RAM AVATAR BAJAJ,
   AGED ABOUT 77 YEARS,

2. SMT. SHAILAJA BAJAJ
   W/O SHIVAKUMAR BAJAJ,
   AGED ABOUT 67 YEARS,

3. SRI PRABHAT KUMAR DHANDHANIA
   S/O ATMARAM,
   AGED ABOUT 59 YEARS,
   PROPRIETOR,
   M/S DHANDHANIA DISTRIBUTORS,

   ALL ARE R/AT NO.C-208, ST. JOHN WOODS,
   TAVAREKERE, BEHIND FORUM MALL,
   BENGALURU-560 029.
   SRI. SHIVAKUMAR BAJAJ
   COMPLAINANT NO.1 IS GPA HOLDER FOR
   COMPLAINANT NO.3

...COMPLAINANTS

(BY SRI. RAGHUNATH M.D., ADVOCATE)

Digitally signed by MALA K N
Location: HIGH COURT OF KARNATAKA

**AND:**

MR SYED NAJMUL HASSAN SALEH
S/O HAJI MEER MOHAMMED SHAH,
AGED ABOUT 48 YEARS,

CNR: KAHC010211102023

DIRECTOR,
M/S. IMPERIUM CONSTRUCTION PVT.LTD.
HAVING OFFICE AT NO.18, SALEH CENTRE,
CUNNINGHAM ROAD, BENGALURU-560 052.

…ACCUSED

(BY SRI. SATYANAND B.S., ADVOCATE)

THIS CCC IS FILED UNDER SECTIONS 10 AND 12 OF THE CONTEMPT OF COURTS ACT, 1971, PRAYING TO TAKE SUITABLE ACTION THE ACCUSED FOR VIOLATING THE UNDERTAKING BEFORE THE HON'BLE COMMERCIAL COURT IN COMMEX NO.250/2022 DATED 31.01.2023, ON THE FILE OF LXXXII ADDITIONAL CITY CIVIL AND SESSIONS JUDGE(CCH-83), PRODUCED AT ANNEXURE-D.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
AND
HON'BLE MR. JUSTICE H.SHANTHI BHUSHAN

**ORAL ORDER**

(PER: HON'BLE MR. JUSTICE D K SINGH)

The present contempt petition has been filed alleging the willful disobedience/non-compliance of the order dated 31.01.2023 passed in Comm.Ex.No.250/2022 by the LXXXII Additional City Civil and Sessions Judge (CCH-83), Bengaluru.

2. Today affidavit of compliance has been filed by the alleged contemnor. Paragraph Nos. 2, 3 and 4 of the said affidavit would read as under:

> 1. *"Xxx*
>
> 2. *I state that in the Com.Ex.No.250/2022, on 31.01.2023, there was Compromise between the Complainant and myself that I should pay a sum of Rs.1,60,00,000/-, to him on or before 15.03.2023. That Learned Judge seeing my condition, was pleased to grant me time and permitted me to make payment in installments and that the Complainant also agreed to accept the amount in Installments. Accordingly, I have made payments in installments commencing from 13.06.2023, by way of Demand Draft and that the Complainant had also No Objection for arrangement and he received the said sum in installments before the Execution Court. That till 20.06.2025, I had paid totally a sum of Rs.1,41,50,000/-, out of Rs.1,60,00,000/-, by way of Demand Drafts in the name of the Complainant. Further, I had paid a sum of Rs.5,00,000/-, to the Complainant on 10.06.2024, by way of Cash before the Execution Petition, since the Complainant insisted upon me to pay the amount by way of Cash. As there was no sitting on that date, I made the said payment to him. Accordingly, as on 20.06.2025, I had paid totally a sum of Rs.1,46,50,000/- to the Complainant.*
>
> 3. *I further state that before this Hon'ble Court I have paid a sum of Rs.3,00,000/- on 04.12.2025, Rs.1,00,000/-, on 10.12.2025, Rs.1,50,000/- on 09.01.2026, Rs.2,00,000/- on 12.02.2026, Rs.1,00,000/- on 04.06.2026, Rs.2,00,000/-, on 10.09.2026, Rs.2,00,000/-, on 23.09.2026 &*

*Rs.1,00,000/-, on 30.09.2026. Thus, totally during the pendency of this Contempt Petition, I have paid a sum of Rs.13,50,000/-, to the Complainant.*

4. *I further state that from 13.06.2023 till 30.09.2026, I have totally paid a sum of Rs.1,60,00,000/-, to the Complainant, on various dates as agreed to by and between the Complainant and myself. Thus, I have complied with the Compromise Order dated 31.01.2023, passed in the Com. Execution Petition No.250 of 2022. Insofar as the delay in make the payments in installments, the Complainant had accepted the same seeing my condition in not able to raise loans either from the Banks or Private Parties.*

5. *Xxx*
*Xxx"*

3. In view of the aforesaid, nothing survives in the contempt petition.

Contempt notice stands discharged.

**Sd/-**
**(D K SINGH)**
**JUDGE**

**Sd/-**
**(H.SHANTHI BHUSHAN)**
**JUDGE**