

Barada Kanta Mishra

Vs

Orissa High Court

Criminal Appeal No. 72 of 1975

(R.S. Sarkaria, A.C. Gupta JJ)

15.09.1975

ORDER

Having heard the appellant in person and Mr. F. S. Nariman for the respondent, we are of opinion that this appeal is not maintainable. Only those orders or decisions in which some point is decided or finding is given in the exercise of jurisdiction by the High Court to punish for contempt, are appealable under Section 19 of the Contempt of Courts Act, 1971. The order in question is not such an order or decision. It is an interlocutory order pertaining purely to the procedure of the Court. All that the order in question says is that all the points arising in the case, including the one of maintainability of the proceedings, would be heard together and; it rejected Mr. B. Mishra's prayer for hearing the case piecemeal, that is, first with regard to the question of maintainability. Accordingly we dismiss the appeal. The stay in consequence, stands vacated.

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