

SUPREME COURT OF INDIA

Mrs. Mehar Rusi Dalal

Vs.

T. K. Banerjee

S.L.P.(C) No. 14709 of 1997

(S. N. Variava and H. K. Sema JJ.)

05.05.2004

JUDGMENT

S. N. Variava, J.

1. We have heard parties.

2. In our view, every party has a right to move a Court of Law for adjudication of his rights. Mere filing of proceedings in a Court of Law and applying to a Court of Law that the payment may not be made would not amount to breach of undertaking. We therefore see no reason to punish for contempt. The contempt notice will stand discharged. There will be no order as to costs.