

SUPREME COURT OF INDIA

Global Cement Ltd & Ors.

Vs.

Deputy Registrar, High Court of Gujarat

C.A.No.9322 of 2016

(Kurian Joseph and R.F.Nariman,JJ.,)

15.09.2016

JUDGMENT

Kurian Joseph,J.,

SLP(Civil)No.6538 of 2015

1. Leave granted.

2. The appellants are aggrieved by the short order dated 22.01.2015 passed by the High Court in Suo Moto proceedings for contempt initiated against the appellants. The operative portion of the order reads as follows :-

"The respondents are directed to deposit the amount in terms of the order of learned Single Judge and if the amount is not deposited, the respondents are directed to remain present on the next date of hearing."

3. Mr. H. P. Rawal, learned senior counsel appearing for Respondent No. 2 fairly submits that there was no direction by learned Single Judge for deposit of any amount. However, the learned senior counsel submits that the subject matter of the contempt was entirely different.

4. We do not deem it proper to go into any of the contentions in that regard for the simple reason that the limited grievance of the appellants before us is only on the direction in the impugned order to deposit some amounts in terms of the order of the learned Single Judge and if not, to remain present in Court for further proceedings with the contempt. However, the learned senior counsel submits that the appellants have other submissions on merits.

5. Both parties are free to raise all available contentions before the Division Bench of the High Court. Accordingly, we set aside the impugned order dated 22.01.2015 and remit the matter to the High Court.

6. In view of the above, the appeal is disposed of.

7. Interlocutory application for intervention is dismissed.

8. We make it clear that we have not considered the matter on merits and it is for the High Court to consider all contentions raised before it.

9. No costs.