

ITEM NO.3

COURT NO.4

SECTION III

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 1955/2022

UNION OF INDIA & ORS.

Appellant(s)

VERSUS

MUKESH MADHU REGAR

Respondent(s)

([FOR DIRECTIONS]

IA No. 117721/2021 - INTERVENTION APPLICATION)

WITH

C.A. No. 1956/2022 (III)

(FOR ADMISSION and I.R. and IA No.86760/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

C.A. No. 1958/2022 (III)

(FOR ADMISSION and I.R. and IA No.92465/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

C.A. No. 1959/2022 (III)

(FOR ADMISSION and I.R. and IA No.94621/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

C.A. No. 1960/2022 (III)

(FOR ADMISSION and I.R. and IA No.99446/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

C.A. No. 1957/2022 (III)

(IA No.87275/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

SLP(C) No. 13916/2021 (IV-B)

(FOR ADMISSION and I.R. and IA No.113288/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 17-08-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE M.M. SUNDRESH

For Appellant(s)

Mr. V. Chandra Sekara Bharthi, Adv.

Mr. Tejas Patel, Adv.

Ms. Preeti Rani, Adv.

Mr. Shashank Shekhar, Adv.

Mr. Mukesh Kumar Maroria, AOR

For Respondent(s)

Mr. Ashish Batra, AOR

Mr. Azmat Hayat Amanullah, AOR

Mr. Satish Pandey, AOR

Ms. Aneeta Katariya, Adv.

Mr. Harsh Katariya, Adv.

Mr. Karunesh Kumar Mishra, Adv.

Mr. Neeraj Srivastava, Adv.

Mr. Anand S. Jondhale, Adv.

Ms. Rajnandini Jondhale, Adv.

Ms. Medha Johdhale, Adv.

Mr. Sunil Kumar Sethi, Adv.

Mr. Kailas Bajirao Autade, AOR

UPON hearing the counsel the Court made the following

O R D E R

Civil Appeal No(s). 1955/2022, C.A. No. 1956/2022,
C.A. No. 1958/2022, C.A. No. 1959/2022, C.A. No.
1960/2022, C.A. No. 1957/2022

Learned counsel for the appellant(s) submits that in out of the five cases before this Court, only Jayshree Enterprises has filed the reply. The period of two weeks has expired and learned counsel appearing for the other five respondents also submits that the reply will be filed by these respondents within two weeks.

List for directions, in terms of the last order, on 18.10.2022.

SLP(C) No. 13916/2021

Learned counsel for the petitioner requests for an adjournment for consideration of issuance of notice as no notice has been issued in this petition.

Learned counsel for the respondent is present on caveat.

Learned counsel for the respondent seeks de-tagging

from the other matters on the ground that the facts of this case are different. He submits that the adjudicating authority itself by order dated 11.03.2021 had permitted the release and if petitioners were aggrieved by the same, the remedy laid with the appellate authority. He points out that the impugned order is dated 24.02.2021 wherein the submissions of the parties are recorded and where the respondents were the petitioners, the only direction passed was that the adjudicating authority will look into all aspects of the matter and there after pass an appropriate order in accordance with law. That order having been passed, the Special Leave Petition is without any merit.

In fact he points out that his contempt petition being Contempt Petition No.254/2021 has been rejected merely on a statement of counsel for the Department that the same matters are pending before this Court and the stay has been granted against release of goods.

The Court apparently took note of the fact that this matter at the request of the petitioner had been directed to be listed along with the other connected matters today and predicated on that dismissed the Contempt Petition.

Prima facie, this Contempt Petition is liable to be revived.

Learned counsel also points out the subsequent order dated 03.08.2021 passed on an application of the

respondents disposing of interim application and directing the respondents to effect provisional release of the relevant consignment.

At the request of learned counsel for the petitioners, list on 26.08.2022.

(ASHA SUNDRIYAL)
ASTT. REGISTRAR-cum-PS

(POONAM VAID)
COURT MASTER (NSH)