

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

Petition(s) for Special Leave to Appeal (C) No(s). 2768/2023

(Arising out of impugned interim order dated 03-02-2023 in CC No. 45/2018 passed by the High Court at Calcutta)

RAMESH KUMAR KEJRIWAL & ANR.

Petitioner(s)

VERSUS

MAHESH KUMAR KEJRIWAL & ORS.

Respondent(s)

(IA No. 26318/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 04-02-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN
HON'BLE MR. JUSTICE HRISHIKESH ROY

For Petitioner(s) Mr. Siddhartha Dave, Sr. Adv.
Mr. Kush Chaturvedi, AOR
Ms. Priyashree Sharma PH, Adv.
Mr. Syed Faraz Alam, Adv.
Mr. Atharva Gaur, Adv.
Ms. Vidhi Thaker, Adv.
Ms. Jemtiben AO, Adv.
Mr. Rupraj Banerjee, Adv.

For Respondent(s) Mr. Aniruddha Mitra, Adv.
Mr. Soumya Dutta, AOR

UPON hearing the counsel the Court made the following
O R D E R

Heard Mr. Siddhartha Dave, learned senior counsel
for the petitioners.

It is contended by the learned senior counsel for
the petitioners that the impugned order directing
demolition of the construction said to have been made in

violation of an interim order, has been passed in a Contempt Case which is still pending and in which the petitioners are yet to be finally found guilty. It is also contended that in the event of the court carrying out the demolition now and eventually finding the petitioners not guilty of contempt, there must be one more restitution which is not permissible in law.

In view of the above, issue notice returnable on 14th March, 2023.

Mr. Aniruddha Mitra, learned counsel representing Mr. Soumya Dutta, learned counsel accepts notice and waives service of notice on behalf of respondent Nos. 1 and 2.

There will be an interim suspension of the impugned order till the next date of hearing.

(ANITA MALHOTRA)
AR-CUM-PS

(KAMLESH RAWAT)
COURT MASTER