

ITEM NO.8 Court 2 (Video Conferencing) SECTION IV-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).6828-6831/2016

(Arising out of impugned final judgment and order dated 04-03-2016 in WP No. 12191/2016 04-03-2016 in WP No. 12192/2016 04-03-2016 in WP No. 12193/2016 04-03-2016 in WP No. 12194/2016 passed by the High Court Of Karnataka At Bengaluru)

STATE BANK OF INDIA & ORS. Petitioner(s)

VERSUS

KINGFISHER AIRLINES LTD. & ORS. Respondent(s)

WITH

CONMT.PET.(C) No. 421-424/2016 In SLP(C) No. 6828-6831/2016 (IV-A)
(Mr. B.K. Prasad, Advocate, (Union of India) Mob No. 9810976830.
Mr. Jaideep Gupta, Sr. Advocate (Amicus Curiae) Mob No. 9811045435.)

Date : 10-02-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

Counsel for the Parties:

Mr. Tushar Mehta, SG
Mr. Rajat Nair, Adv.
Ms. Swati Ghildiyal, Adv.
Mr. Kanu Agrawal, Adv.
Mr. Saurabh Mishra, Adv.
Mr. Raj Bahadur Yadav, AOR

Mr. Jaideep Gupta, Sr. Adv.(AC)
Mr. Kunal Chatterji, AOR

Mr. Sanjay Kapur, Adv.
Ms. Megha Karnwal, Adv.
Mr. Arjun Bhatia, Adv.
Ms. Shubhra Kapur, Adv.
Mr. Lalit Rajput, Adv.

Ms. Fereshte D. Sethna, Adv.
Mr. Aniket Nimbalkar, Adv.
Mr. Abhishek Tilak, Adv.
Mr. Ameya Pant, Adv.

Mr. Tejveer Singh, Advocate
Ms. Shivani Sanghvi, Advocate
Ms. Aboli Mandlik, Advocate
Ms. B. Vijayalakshmi Menon, AOR

Mr. Anand Sukumar, AOR
Mr. S. Sukumaran, Advocate
Mr. Bhupesh Pathak, Advocate

Mr. E. C. Agrawala, AOR

M/s. Dua Associates, AOR

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

In response to the request made in the order dated 30.11.2021, Mr. Jaideep Gupta, learned Senior Advocate of this Court has graciously accepted to assist this Court as Amicus Curiae.

Learned Amicus Curiae submits that on the issue of sentence in its order dated 30.11.2021, this Court granted liberty to respondent No.3-contemnor to advance such submissions as would be deemed appropriate. Further, respondent No.3 was also granted liberty to engage the services of a learned counsel to appear on his behalf and advance submissions.

In the opinion of the learned Amicus Curiae, the requirements of Principles of Natural Justice stood sufficiently complied with and adequate opportunity was afforded to respondent No.3- contemnor. Even then in his submission, the matter may be adjourned for a short while, as and by way of final opportunity; and in case respondent No.3-

contemnor chooses not to remain personally present and/or advance submissions through his counsel, the Court may proceed further in the matter.

Mr. Tushar Mehta, learned Solicitor General also supports the submissions advanced by the learned Amicus Curiae.

Learned Solicitor General further submits that the Court may also clarify that it was not the submission on behalf of the Government of India that the nature of proceedings presently going on in United Kingdom was confidential and that no details could be shared; but the Authorities of Government of India had simply conveyed the impression which was gathered from the United Kingdom side.

This issue does not require any elaboration as the Order dated 30.11.2021 had extensively quoted the relevant communication which made the position quite clear.

Going by the submissions made by the learned Amicus Curiae and learned Solicitor General, we adjourn this matter for three weeks.

Respondent No.3-Contemnor is at liberty to act in terms of directions "b and c" as stated in the order dated 30.11.2021, failing which the matter shall be taken to a logical conclusion on the next occasion.

List the matter on 03.03.2022.

(INDU MARWAH)
COURT MASTER (SH)

(VIRENDER SINGH)
BRANCH OFFICER