

NATIONAL COMPANY LAW APPELLATE TRIBUNAL, NEW DELHI

Contempt Case (AT) No. 01 of 2020

In

Company Appeal (AT) (Ins) No. 853 of 2019

IN THE MATTER OF:

The State Trading Corporation of India Ltd. ...Petitioner.

Versus

Gursharan Singh ...Contemnor.

Present:

For Appellant: Mr. Naveen Kr. Chaudhary, Advocates

**For Respondent: Dr. Maurya Vijay Chandra and Ms. Sucheta Gupta,
Advocates for R-1.**

Mr. Ashok Juneja, Advocate for RP, R-2

ORDER

(Virtual Mode)

04.11.2020 The Contempt Case (AT) No. 01 of 2020, arises out of Company Appeal (AT) (Ins) No. 853 of 2019.

Learned Counsel for the Petitioner submits that in memo of Company Appeal (AT) (Ins) No. 853 of 2019, the Appellant has made false averments denying entire transaction and alleging that the MoU dated 19.01.2005 was false and fabricated. The averments are ex-facie false and fraudulent and have been made to mislead this Tribunal. Which amounts to Contempt of Court.

Learned Counsel for the Petitioner after arguing for some time submits that the Petition may be kept pending till disposal of the aforesaid Appeal.

We are of the considered view that at this stage the Petition is not maintainable as is based on the averments in Memo of Appeal and Appeal is yet to be decided.

In such circumstances, the Petition is disposed of with the liberty that if the occasion arises the Petitioner may file fresh Petition in this regard.

Thus, the Petition is disposed of.

[Justice Jarat Kumar Jain]
Member (Judicial)

[Balvinder Singh]
Member (Technical)

SC/BM.