

**IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION**

CONTEMPT PETITION (C) NO.169 OF 2012

IN

I.A.NO.2 IN SLP(C)NO.32328 OF 2010

RAJAT KANODIA (PARTNER)

M/S. CLASSIQUE INTERNATIONAL ... PETITIONER(S)

VS.

R.D.CHAUDHARY (DIRECTOR)

M/S. NIJINOY TRADING PVT. LTD. ... RESPONDENT(S)

WITH

CONTEMPT PETITION (C) NO.241 OF 2014

IN

I.A.NO.2 IN SLP(C)NO.32328 OF 2010

M/S. NIJINOY TRADING P. LTD. ... PETITIONER(S)

VS.

RAJAT KANODIA (PARTNER) ,

M/S. CLASSIQUE INTERNATIONAL ... RESPONDENT(S)

J U D G M E N T

ANIL R. DAVE, J.

CONTEMPT PETITION (C) NO.169 OF 2012 :

1. During the course of hearing, we have been informed by the learned counsel for the petitioner that the petitioner has to recover Rs.3.5 crores (Rupees three crores and fifty lakhs only) from the respondent, whereas according to the respondent, the total amount payable by the respondent to the petitioner is Rs.1.6 crores (Rupees

one crore sixty lakhs only).

2. Thus, it appears that there is no unanimity with regard to the amount which is to be paid by the respondent to the petitioner.

3. The afore-stated amount should be based on the settlement, if correctly arrived at, which has been recorded on 24th January, 2011.

4. Be that as it may, the parties shall approach the Executing Court so as to bring an end to the dispute and if they feel proper, they may also make a request to the Court for sending them for mediation.

5. The petition is disposed of with the above directions. Pending application, if any, stands disposed of.

6. The interim order dated 16th December, 2014 for appropriation of the sale proceeds shall remain in force till a further order is passed by the Executing Court.

CONTEMPT PETITION (C) NO.241 OF 2014 :

1. The petition is dismissed.

2. Pending application, if any, stands disposed of.

.....J.
[ANIL R. DAVE]

.....J.
[ADARSH KUMAR GOEL]

New Delhi;
21st September, 2015.