

2025 LiveLaw (SC) 956

IN THE SUPREME COURT OF INDIA

J.K. MAHESHWARI; J., VIJAY BISHNOI; J.

CONMT. PET. (C) No. 218/2025 in SLP(C) No. 21177/2024; 26-09-2025

M/S LAXMI CONSTRUCTION & ANR. *versus* HARSH GOYAL & ANR.

Supreme Court sends tenant to Jail for not vacating premises and imposes Rs. 5 lakhs fine on aged co-tenant - Found guilty of deliberate and wilful non-compliance of Supreme Court orders dt. 20.09.2024 and 09.09.2025 - Direction were given to the District Judge to appoint a bailiff with police help to take possession of the premises within two weeks - An inventory of tenant articles shall be prepared and kept in safe custody for delivery, if demanded - Appellate authority shall report action to the Supreme Court Registrar. [Paras 3 - 7]

For Petitioner(s): Mr. Rauf Rahim, Sr. Adv. Mr. Rohit Amit Sthalekar, AOR Mr. Ali Rahim, Adv. Mr. Mohsin Rahim, Adv. Mr. Shashank Singh, Adv.

For Respondent(s): Mr. Sagar Pahune Patil, AOR Mr. R. Sudhakaran, AOR

ORDER

1. Heard learned counsel for the parties.
2. In terms of the submissions made before us and in the facts and circumstances of the case, we are of the view that the contemnors are guilty of deliberate and willful non-compliance of the order of this Court passed on 20.09.2024 and 09.09.2025.
3. On the question of punishment, learned counsel for the contemnor No.1 submitted that the alleged contemnor is about 82 years of age and requested that the punishment of civil imprisonment may not be imposed except to direct for amount of fine.
4. The contemnor No.2 appearing in person on being asked on the point of punishment, submits that in furtherance to the order of this Court, they were vacating the premises but in the meantime, the order dated 22.9.2025 was received on 24.9.2025 wherein a direction was issued that issue of ownership be decided by the Rent Controlling Authority within a period of 90 days. Therefore, they have stopped vacating the premises. It is urged by him that the petitioner (herein) is not the owner and the issue of ownership is still required to be decided by the Rent Controlling Authority. Therefore, as directed on 09.09.2025, the possession has not been handed over. He further submits that leniency may be adopted against him.
5. Having considered the submissions as made before us, we are of the considered view that both the contemnors are guilty of deliberate and willful non-compliance of the directions passed by this Court and repeatedly attempting to make incorrect and misleading statements contrary to the record. However, we take a lenient view so far as it relate to Contemnor No. 1 is concerned and impose the fine of Rs.5,00,000/- (Rupees five lakh only) in place of sentence which shall be deposited with the Supreme Court Legal Services Committee within a period of two months from today otherwise he shall serve the civil prison of one month.
6. So far as Contemnor No. 2 is concerned, looking to his conduct, as indicted hereinabove, we are inclined to punish him by sentence for a period of three months' civil prison and fine of Rs.1,00,000/- to be deposited with the Supreme Court Legal Services Committee within two months from today. In default of payment of fine, he shall serve a further period of civil prison for one month. He shall be taken into custody by the security

personnel of this Court and be handed over to the jail authorities of Tihar Jail, Delhi to serve the sentence as directed.

7. Since the Rent Controlling Authority has been issued a show cause notice in Contempt Petition (C) No. 218 of 2025 in SLP (C) No. 21177/2024, therefore, we directed that the appellate authority, i.e, District Judge, Saharanpur, Uttar Pradesh shall appoint a bailiff to take the possession of the premises in question with the police help and to take possession within a period of two weeks. If any articles of the tenant are found, its inventory be prepared and with the help of the administration it be kept in safe custody to deliver to the tenants, if demanded. The report of the action taken by the appellate authority be submitted to the Registrar of this Court.

8. In the above terms, the contempt petition is disposed of.

9. Detailed order to follow.

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