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ITEM NO.6

COURT NO.2

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).8616/2022

(Arising out of impugned final judgment and order dated 17-02-2022 in RFA No. 729/2021 passed by the High Court of Karnataka at Bengaluru)

M/S NANDI INFRASTRUCTURE CORRIDOR ENTERPRISE LTD. Petitioner(s)

VERSUS

H.D. DEVEGOWDA

Respondent(s)

(FOR ADMISSION and I.R. and IA No.70035/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.70036/2022-EXEMPTION FROM FILING O.T.)

Date : 09-09-2022 This petition was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. Neeraj Kishan Kaul, Sr. Adv.
Mr. S.B. Mathapathi, Adv.
Mrs. Yugandhara Pawar Jha, Adv.
Mr. Kunal Verma, AOR
Mr. Ashwin Kumar Nair, Adv.
Mr. Ritik Gupta, Adv.
Ms. Lavanya Dhawan, Adv.
Mr. Toshiv Goyal, Adv.
Mr. Dhruv Sharma, Adv.
Mr. Raghav Agrawal, Adv.

For Respondent(s)

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

1 Since the High Court has passed a discretionary order staying the execution of the decree passed by the trial court imposing compensation in a suit for defamation pending the first appeal, we are not inclined to entertain a petition under Article 136 of the Constitution. The High Court has also directed that the respondent shall not make any statement, which is defamatory, pending the

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disposal of the first appeal. If there is any breach of that direction by the respondent, the petitioner would be at liberty to move the High Court for vacating the interim order.

2 We also clarify that the observations in the impugned order shall not weigh in the final disposal of the first appeal since it was confined to the question of interim stay of execution of the decree.

3 Subject to the aforesaid, the Special Leave Petition is dismissed.

4 Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)
DEPUTY REGISTRAR

(SAROJ KUMARI GAUR)
COURT MASTER