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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Date of decision: 15th January, 2025*

+ **CONT.CAS(C) 65/2024**

M/S LEO ISPAT LIMITED

Through its Director

Having its registered and

Corporate office at:

Y-126, Ground Floor

Loha Mandi, Naraina, New Delhi

.....Petitioner

Through: Ms. Kshirja Agarwal, Advocate.

versus

1. MR. DEEPAK RAHEJA

Director

M/s ADI Automotives Pvt. Ltd.

C/o 58-59 Km Milestone, Delhi Jaipur Highway

Binola Industrial Zone,

Gurgaon, Haryana

.....Respondent No.1.

2. MRS. CHHAYA RAJEHA,

W/o Deepak Raheja

R/o C-2 Block, House No. 81,

Sushant Lok 1, Gurgaon.

.....Respondent No.2.

3. MR. ASHISH RAHEJA

Director

M/s ADI Automotives Pvt. Ltd.

C/o 58-59 Km Milestone, Delhi Jaipur Highway

Binola Industrial Zone,

Gurgaon, Haryana

.....Respondent No.3.

4. MR. ANUJ RAHEJA

Director



M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaRespondent No.4.

5. M/S ADI AUTOMOTIVES PVT. LTD.

Through its Director Mr. Ashish Raheja

At:-

C/o 58-59 Km Milestone, Delhi Jaipur Highway

Binola Industrial Zone,

Gurgaon, Haryana

.....Respondent No.5.

Through: Mr. Nikhil Kohli and Mr. Rahul
Sinha, Advocates.

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CRL.M.C. 5283/2017, CRL.M.A. 20730/2017

1. MR. DEEPAK RAHEJA

Director

M/s ADI Automotives Pvt. Ltd.

C/o 58-59 Km Milestone, Delhi Jaipur Highway

Binola Industrial Zone,

Gurgaon, Haryana

.....Petitioner No.1.

2. MRS. CHHAYA RAJEHA,

W/o Deepak Raheja

R/o C-2 Block, House No. 81,

Sushant Lok 1, Gurgaon.

.....Petitioner No.2.

3. MR. ASHISH RAHEJA

Director

M/s ADI Automotives Pvt. Ltd.

C/o 58-59 Km Milestone, Delhi Jaipur Highway

Binola Industrial Zone,

Gurgaon, Haryana

.....Petitioner No.3.

4. MR. ANUJ RAHEJA



Director
M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaPetitioner No.4.

5. M/S ADI AUTOMOTIVES PVT. LTD.

Through its Director
Mr. Ashish Raheja
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaPetitioner No.5.

Through: Mr. Nikhil Kohli and Mr. Rahul
Sinha, Advocates.

versus

1. **STATE**
NCT OF DELHIRespondent No.1.

2. **M/S LEO ISPAT LIMITED**

Through its Director
Having its registered and
Corporate office at:
Y-126, Ground Floor
Loha Mandi, Naraina, New Delhi.....Respondent No.2.

Through: Ms. Kshirja Agarwal, Advocate for
R2.

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CRL.M.C. 5294/2017, CRL.M.A. 20768/2017

1. **MR. DEEPAK RAHEJA**

Director
M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaPetitioner No.1.



2. **MRS. CHHAYA RAJEHA**,
W/o Deepak Raheja
R/o C-2 Block, House No. 81,
Sushant Lok 1, Gurgaon.Petitioner No.2.
3. **MR. ASHISH RAHEJA**
Director
M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaPetitioner No.3.
4. **MR. ANUJ RAHEJA**
Director
M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaPetitioner No.4.
5. **M/S ADI AUTOMOTIVES PVT. LTD.**
Through its Director
Mr. Ashish Raheja
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaPetitioner No.5.
Through: Mr. Nikhil Kohli and Mr. Rahul
Sinha, Advocates.
- versus
1. **STATE**
NCT OF DELHIRespondent No.1.
2. **M/S LEO ISPAT LIMITED**
Through its Director
Having its registered and
Corporate office at:



Y-126, Ground Floor
Loha Mandi, Naraina, New Delhi.....Respondent No.2
Through: Ms. Kshirja Agarwal, Advocate for
R2.

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CRL.M.C. 5295/2017, CRL.M.A. 20770/2017

1. MR. DEEPAK RAHEJA

Director
M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaPetitioner No.1.

2. MRS. CHHAYA RAJEHA,

W/o Deepak Raheja
R/o C-2 Block, House No. 81,
Sushant Lok 1, Gurgaon.Petitioner No.2.

3. MR. ASHISH RAHEJA

Director
M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaPetitioner No.3.

4. MR. ANUJ RAHEJA

Director
M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaPetitioner No.4.

5. M/S ADI AUTOMOTIVES PVT. LTD.

Through its Director
Mr. Ashish Raheja



C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, Haryana

.....Petitioner No.5.

Through: Mr. Nikhil Kohli and Mr. Rahul
Sinha, Advocates.

versus

1. STATE

NCT OF DELHI

.....Respondent No.1.

2. M/S LEO ISPAT LIMITED

Through its Director
Having its registered and
Corporate office at:
Y-126, Ground Floor

Loha Mandi, Naraina, New Delhi.....Respondent No.2.

Through: Ms. Kshirja Agarwal, Advocate for
R2.

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CRL.M.C. 1072/2023, CRL.M.A. 4108/2023

1. CHHAYA RAHEJA

W/o Late Deepak Raheja
R/o 846, Sector-15, Part-II
Gurgaon - 122022 AND ORS

.....Petitioner No.1.

2. MR. ASHISH RAHEJA

Director
M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, Haryana

.....Petitioner No.2.

3. Mr. Anuj Raheja

Director
M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway



Binola Industrial Zone,
Gurgaon, Haryana

.....Petitioner No.3.

Through: Mr. Nikhil Kohli and Mr. Rahul
Sinha, Advocates.

Versus

1. **STATE**
NCT OF DELHIRespondent No.1.

2. **M/S LEO ISPAT LIMITED**
Through its Director
Having its registered and
Corporate office at:
Y-126, Ground Floor
Loha Mandi, Naraina, New DelhiRespondent No.2.
Through: Ms. Kshirja Agarwal, Advocate for
R2.

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CRL.M.C. 1073/2023, CRL.M.A. 4111/2023

1. **CHHAYA RAHEJA**
W/o Late Deepak Raheja
R/o 846, Sector-15, Part-II
Gurgaon - 122022 AND ORSPetitioner No.1.

2. **MR. ASHISH RAHEJA**
Director
M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaPetitioner No.2.

3. **MR. ANUJ RAHEJA**
Director
M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,



Gurgaon, HaryanaPetitioner No.3.
Through: Mr. Nikhil Kohli and Mr. Rahul
Sinha, Advocates.
Versus

1. **STATE**
NCT OF DELHIRespondent No.1.

2. **M/S LEO ISPAT LIMITED**
Through its Director
Having its registered and
Corporate office at:
Y-126, Ground Floor
Loha Mandi, Naraina, New Delhi...Respondent No.2
Through: Ms. Kshirja Agarwal, Advocate for
R2.

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CRL.M.C. 1074/2023, CRL.M.A. 4112/2023

1. **CHHAYA RAHEJA**
W/o Late Deepak Raheja
R/o 846, Sector-15, Part-II
Gurgaon - 122022 AND ORSPetitioner No.1.

2. **MR. ASHISH RAHEJA**
Director
M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaPetitioner No.2.

3. **MR. ANUJ RAHEJA**
Director
M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaPetitioner No.3.



Through: Mr. Nikhil Kohli and Mr. Rahul
Sinha, Advocates.

Versus

1. **STATE**
NCT OF DELHIRespondent No.1.

2. **M/S LEO ISPAT LIMITED**
Through its Director
Having its registered and
Corporate office at:
Y-126, Ground Floor
Loha Mandi, Naraina, New DelhiRespondent No.2.
Through: Ms. Kshirja Agarwal, Advocate for R2.

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CONT.CAS(C) 66/2024, CM APPL. 2651/2024

1. **M/S LEO ISPAT LIMITED**
Through its Director
Having its registered and
Corporate office at:
Y-126, Ground Floor
Loha Mandi, Naraina, New DelhiPetitioner No.1.
Through: Ms. Kshirja Agarwal, Advocate.

versus

1. **MR. DEEPAK RAHEJA**
Director
M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaContemnor No.1.

2. **MRS. CHHAYA RAJEHA,**
W/o Deepak Raheja
R/o C-2 Block, House No. 81,



- Sushant Lok 1, Gurgaon.Contemnor No.2.
3. **MR. ASHISH RAHEJA**
Director
M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaContemnor No.3.
4. **MR. ANUJ RAHEJA**
Director
M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaContemnor No.4.
5. **M/S ADI AUTOMOTIVES PVT. LTD.**
Through its Director
Mr. Ashish Raheja
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaContemnor No.5.
Through: Mr. Nikhil Kohli and Mr.
Rahul Sinha, Advocates.

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CONT.CAS(C) 72/2024

1. **M/S LEO ISPAT LIMITED**
Through its Director
Having its registered and
Corporate office at:
Y-126, Ground Floor
Loha Mandi, Naraina, New DelhiPetitioner
Through: Ms. Kshirja Agarwal, Advocate.

versus



1. **MR. DEEPAK RAHEJA**
Director
M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaContemnor No.1.
2. **MRS. CHHAYA RAJEHA,**
W/o Deepak Raheja
R/o C-2 Block, House No. 81,
Sushant Lok 1, Gurgaon.Contemnor
No.2.
3. **MR. ASHISH RAHEJA**
Director
M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaContemnor No.3.
4. **MR. ANUJ RAHEJA**
Director
M/s ADI Automotives Pvt. Ltd.
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaContemnor No.4.
5. **M/S ADI AUTOMOTIVES PVT. LTD.**
Through its Director
Mr. Ashish Raheja
C/o 58-59 Km Milestone, Delhi Jaipur Highway
Binola Industrial Zone,
Gurgaon, HaryanaContemnor No.5.
Through: Mr. Nikhil Kohli and Mr. Rahul Sinha,
Advocates.

CORAM:



HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA
J U D G M E N T (oral)

1. The three Contempt Petitions being ***CONT.CAS(C) 65/2024, 66/2024 and 72/2024*** under Section 11 and 12 of the *Contempt of Courts Act, 1971* have been filed on behalf of the Petitioner, *M/s. Leo Ispat Limited* against the Contemnors for non-compliance of the Order dated 26.07.2023 regarding the settlement *inter-se* the parties.
2. ***CRL.M.C.5283/2017, 5294/2017, and 5295/2017***, have been filed on behalf of the Respondents, Mrs. Chaya Raheja, Mr. Ashish Raheja, Mr. Anuj Raheja and Mr. Deepak Raheja for quashing of the summoning Order dated 02.02.2016 *vide* which they have been summoned in the Complaint Cases bearing C.C. No. 16776/2016, 16777/2016 and 16778/2016 under Section 138 N.I. Act.
3. ***CRL.M.C. 1072/2023, 1073/2023 & 1074/2023*** have been filed on behalf of the Respondents, Mrs. Chaya Raheja, Mr. Ashish Raheja, Mr. Anuj Raheja and Mr. Deepak Raheja for quashing of the impugned Order dated 12.01.2023 *vide* which NBWs were issued against the Petitioners and also seeks quashing of Complaint Cases bearing C.C. No. 19334/2016, 16733/2016 and 19335/2016 under Section 138 N.I. Act.
4. *Learned counsel on behalf of the Petitioner* submits the parties entered into a compromise in the sum of Rs.4.28 Crores, in terms of the Settlement Deed dated 28.10.2018. The Civil Suit for Recovery was decreed in terms of the Settlement dated 28.10.2018. The Post-dated



cheques (PDCs) were paid for the settled amount payable till March, 2019. However, while Rs.28,00,000/- have been paid at the time of Settlement, Rs.3.5 Crores were paid on 14.11.2019 i.e. after a delay of six months leaving a balance of Rs.50,00,000/-.

5. The Execution proceedings were initiated by the Respondent/Complainant in respect of the balance payment wherein the Petitioner *herein* undertook to pay Rs.50,00,000/- along with an interest of 15% i.e. Rs. 65,00,000 to be finally settled on 14.11.2019, which has eventually been paid in these proceedings on 06.02.2024.

6. The only issue which is now being agitated by the parties, is about the interest on the delayed payment as settled, in the Settlement Agreement dated 28.10.2018, that Rs.50,00,000/- along with the interest of Rs.15,00,000/-, was agreed to be paid in the Execution Proceedings.

7. Learned counsel on behalf of the Respondents, submits that she has calculated the interest on the balance Rs.50,00,000/- @9% which comes to Rs.23,40,000/-. Rs.15,00,000/- already stands paid.

8. The Petitioner undertakes to pay a sum of Rs.7,00,000/- towards the full and final settlement to the Respondent, within 60 days.

9. *Learned counsel on behalf of the Respondents* submits that the Complainant is also entitled to interest for 6 months period on Rs.3.5 Crores, which was paid after the delay of six months.

10. **Submissions heard.**



11. As detailed above, the Compromise inter-se the parties was in the sum of Rs.4.28 crores *vide* Settlement Deed dated 28.10.2018 which was payable through PDCs till March, 2019; Rs.28 lakhs got paid at the time of Settlement; Rs.3.5 crores got paid on 14.11.2019 i.e. after a delay of six months leaving a balance of Rs.50 lakhs.

12. A sum of Rs.50 lakhs along with interest of Rs. 15,00,000/- also got paid on 06.02.2024. In the Order dated 06.02.2024, this court observed that only the component of interest payable on the delayed payment of Rs. 50 lakhs remains to be considered.

13. It is on record that there was a shortfall of Rs.50 lakhs in payment of the agreed amount, which did not get paid in 2019 as was finally settled on 14.11.2019. The Accused persons undertook to pay the amount of Rs.50,00,000/- along with interest of Rs. 15,00,000/- on 26.07.2023 within 4 months.

14. Finally, this amount of Rs.65 lakhs was paid on 06.02.2024, after which the only question which remained to be considered was the interest component on Rs.50 lakhs to be paid on account of delayed payment. According to the respondents interest @9% was calculated on Rs.50 Lacs which comes to Rs.23,40,000/- out of which Rs.15,00,000/- already stands paid.

15. The Directors/Petitioners of the accused Company have agreed to pay a sum of Rs.7 lakhs towards full and final settlement. However, considering the calculation, the Petitioners are directed to pay Rs. Rs.8,40,000/- as interest component on delayed payment, within 60



days.

16. In so far as the interest on Rs.3.5 crores being paid after a delay of six months is concerned, the matter has been amicably settled between the parties and the entire proceedings need to be given a closure.

17. No further amount is held to be payable to the Complainant beyond the aforesaid amount which the Petitioners have undertaken to pay.

18. Contempt Petitions being CONT.CAS(C) 65/2024, 66/2024 and 72/2024 are hereby, dismissed.

19. In view of the Compromise between the parties whereby the cheque amount has got settled, nothing more survives in the Complaint Cases bearing C.C. No. 16776/2016, 16777/2016, 16778/2016, C.C. No. 19334/2016, 16733/2016 and 19335/2016 under Section 138 N.I. Act. The Complaint cases under Section 138 N.I. Act and all the proceedings emanating therefrom are hereby, quashed.

**(NEENA BANSAL KRISHNA)
JUDGE**

JANUARY 15, 2025/RS