

LEGAL UPDATES

AZIM PREMJI CASE: SC ORDERS KARNATAKA HC TO END CONTEMPT PROCEEDINGS AGAINST "SERIAL LITIGANT"

The Hon'ble Supreme Court in the petition filed by Mr Azim Premji and others seeking quashing of criminal summons issued by the Trial Court in Bengaluru in response to a complaint from a "serial litigant" NGO against the merger of Mr Premji's three interlocked companies, ordered the Karnataka High Court to not consider any interlocutory applications filed by the said NGO.

It was opined by the Court that the NGO that is a party in the instant case is nothing but a serial litigant.

The Hon'ble Court remarked that *"...there is undoubtedly an endeavour to obfuscate proceedings before the Karnataka High Court and the matter is being dragged on unnecessarily to prevent the culmination of the same."*

It further observed that in ordinary circumstances, the top court would have never directed a High Court on how to go about a case, but this seems like a never-ending tussle and a chronic case of serial litigation. It categorically stated that *"In normal circumstances, it is not for us to lay down as to how the High Court should proceed with the matter but how these proceedings have gone on disturbs us."*

The Hon'ble Apex Court expressed shock at the Respondent NGO's attempt to disrupt the proceedings by arguing for more than 1.5 hours to recall the contempt notice before asking for permission to remove it, which was denied as rescinded.

In the instant case, the Apex Court set out an exit path for the parties litigating against each other and cautioned the two parties to interact in way that brings the proceedings to a close and ensure that the purpose of the SC's judgement from October 5, 2021, is upheld.

In furtherance of this, the Court ordered that the parties be given 30 minutes each to deliver their oral arguments on the subject at hand, stating that there is no question of claiming trial in the proceedings given the current factual situation. Addressing to the chronic judicial pendency, it observed that *"It is time the Courts put a time limit to oral submissions"*