



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF JANUARY, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MR. JUSTICE UMESH M ADIGA

CIVIL CONTEMPT PETITION NO. 850 OF 2025

BETWEEN:

1. SRI. KARTHIK KUMAR S
S/O. N. SHANKAR (RETIRED A.R.S.I.)
AGED ABOUT 38 YEARS
PROPRIETOR (OWNER)
NANDINI MILK PARLOUR
AT C.A.R. POLICE QUARTERS
SIRSI CIRCLE
MYSORE ROAD
BENGALURU - 560 018

...COMPLAINANT

(BY SRI. INDRA DHANUSH M. A.,ADVOCATE)

AND:

1. NAGESH D L
DEPUTY COMMISSIONER OF POLICE
CITY ARMED RESERVE
HEAD QUARTERS
MYSORE ROAD
BENGALURU - 560 018
2. NIKHIL KUMAR R.N.
ASSISTANT COMMISSIONER OF POLICE-5
CITY ARMED RESERVE
HEAD QUARTERS
MYSORE ROAD
BENGALURU - 560 018

...ACCUSED

3. STATE OF KARNATAKA
REP. BY SECRETARY



DEPT OF HOME MINISTRY
VIDHANA SOUDHA
BENGALURU-560001

...PRO FORMA RESPONDENT

(SRI K.S. HARISH, GOVERNMENT ADVOCATE FOR
ACCUSED No.1 & PRO FORMA RESPONDENT
SRI M NARAYANA BHAT, ADVOCATE FOR ACCUSED No.2)

THIS CCC IS FILED UNDER SECTIONS 11 AND 12 OF THE
CONTEMPT OF COURTS ACT, 1971 PRAYING THAT THE HONBLE
COURT BE PLEASED TO ORDER THAT THE ACCUSED NO.1 AND 2
ARE GUILTY OF THE CONTEMPT OF ORDERS DATED 01.04.2025
AND 08.04.2025 PASSED BY THE LEARNED SINGLE BENCH OF
THIS HON'BLE HIGH COURT IN W.P.NO.9196/2025 (GM-RES)
PRODUCED AT ANNEXURE-A AND C.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY,
ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MR. JUSTICE UMESH M ADIGA

ORAL ORDER

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The complainant has filed the present complaint alleging willful disobedience of the orders dated 01.04.2025 and 08.04.2025 passed by the learned Single Judge of this Court in Writ Petition No.9196/2025 (GM-RES).
2. By virtue of the order dated 01.04.2025, the interim relief, as prayed for, was granted.



3. Apparently, the said order was not followed. The complainant was constrained to once again move the learned Single Judge and the following order was passed on 08.04.2025:

"This Court on 01.04.2025, had passed the following order:

"Learned Additional Government Advocate is directed to take notice for the respondents.

Learned counsel for the petitioner to serve a copy of the petition papers upon the learned Additional Government Advocate, forthwith.

List this matter on 21.04.2025, in the fresh matters list. Interim order of stay, as prayed for, is granted, till the next date of hearing."

The matter was directed to be listed on 21.04.2025. The matter is moved by the petitioner owing to the fact that the police are not permitting the petitioner to run the Nandini Milk Parlour.

Learned counsel for the petitioner submits that the respondents – Deputy Commissioner of Police and his staff have not bothered to adhere to the interim order that is granted by this Court *supra*.

Learned counsel for petitioner indicates that the police official who has created the problem in running the Nandini Milk Parlour of the petitioner is one D.L.Nagesh.

Therefore, respondent No.1 – Deputy Commissioner of Police who has now obstructed to run the milk parlour, which is contrary to the interim order, will have to answer why action should not be initiated against him for contempt of the court order.

List the matter on **21.04.2025**.

It is made clear that if again obstruction is made contrary to the interim order *supra*, the matter would be reviewed seriously.



The police official - D.L.Nagesh shall restraint, failing which, this Court would be constrained to pass appropriate order on the next date of hearing.

Interim order granted earlier, is extended till the next date of hearing."

4. It is clear from a plain reading of the order dated 08.04.2025 that accused No.1 (Deputy Commissioner of Police) was cautioned that if there is any further disobedience, action for contempt would be initiated. The complainant alleges that notwithstanding the said order, the accused did not remove its obstruction on 08.04.2025.

5. Mr.K.S.Harish, learned Government Advocate submits that the copy of the order was received on 09.04.2025 and the obstruction was removed immediately. He also tenders an unqualified apology for not complying with the order.

6. We find it difficult to accept that the order dated 08.04.2025 was not in the knowledge of the concerned police officials on 08.04.2025. However, we are refraining from initiating any proceedings of contempt of the court for two reasons. First, that the accused has tendered an unqualified apology; and the second that the writ petition has been disposed of and there is no allegation that the final order has not been complied with.



7. We close the complaint with a note of caution to the accused to be careful in future.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(UMESH M ADIGA)
JUDGE**

AHB
List No.: 1 SI No.: 27