

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.SURENDRA MOHAN

TUESDAY, THE 24TH DAY OF FEBRUARY 2015/5TH PHALGUNA, 1936

Con.Case(C).No. 150 of 2015 (S) IN WP(C).20043/2014

**AGAINST THE ORDER/JUDGMENT IN WP(C) 20043/2014 of HIGH COURT OF KERALA
DATED 14-08-2014**

PETITIONER(S)/PETITIONER:

**RIYAS K.V.
HOUSE NO.3/969, ERAVELI HOUSE, MATTANCHERRY
KOCHI**

BY ADV. SRI.G.PRABHAKARAN

RESPONDENT(S)/RESPONDENT:

**OBERLIN JOSEPH
FATHER'S NAME AND AGE NOT KNOWN TO THE PETITIONER,
THE DISTRICT EXECUTIVE OFFICER
KERALA MOTOR TRANSPORT WORKERS WELFARE FUND BOARD
SRM ROAD ERNAKULAM - 682 018**

R BY SRI.P.RAMAKRISHNAN, SC,KMTWF BOARD

**THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR
ADMISSION ON 24-02-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

kkj

APPENDIX

PETITIONER'S ANNEXURES

- A1: TRUE COPY OF THE JUDGMENT DATED 14.08.2014 IN
WPC.NO.20043/2014**
- A2: TRUE COPY OF THE INTIMATION ISSUED BY THE DISTRICT EXECUTIVE
OFFICER DATED 10.10.2014**
- A3: TRUE COPY OF THE LAWYER NOTICE DATED 1.12.2014**
- A4: TRUE COPY OF THE REPLY NOTICE DATED 3.12.2004**

RESPONDENTS' EXHIBITS

NIL

// true copy //

PA TO JUDGE

K.SURENDRA MOHAN, J.

Contempt Case(C) No.150 of 2015-S

Dated this the 24th day of February, 2015

J U D G M E N T

This contempt case has been filed alleging willful disobedience of the direction contained in the judgment dated 14.08.2014, finally disposing of W.P.(C) No.20043/2014. The operative portion of the judgment reads as follows:-

In view of the above, this writ petition is disposed of directing the petitioner to produce the originals of Exts.P1 and P2 before the respondent and further directing the respondent to effect the necessary changes sought for by the petitioner within a period of two weeks from the date of production of such originals, provided there are in order.

2. As per Annexure A2, the respondent directed the petitioner to pay an amount of ₹28700/- as the balance amount of contribution to the Board. The counsel for the petitioner submits that, he was employing only two persons and that contribution has been computed in respect of three

employees. Therefore, according to the counsel, contributions would have to be paid in respect of a nonexistent employee.

Heard. Since the direction of this Court was only to produce the originals of Exhibits P1 and P2 and to make necessary corrections on the basis thereof, it cannot be said that by making the demands contained in Annexure A2, there has been any willful disobedience of the direction this Court. If the petitioner is aggrieved by Annexure A2, it is for the petitioner to challenge the same in appropriate proceedings. I do not find any grounds to proceed further with this contempt case. The same is therefore closed.

Sd/-
K.SURENDRA MOHAN,
JUDGE

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