

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.N.RAVINDRAN

WEDNESDAY, THE 2ND DAY OF SEPTEMBER 2015/11TH BHADRA, 1937

Con.Case(C) .No. 1186 of 2015 (S)

AGAINST THE ORDER IN WP(C) 3163/2014 of HIGH COURT OF KERALA DATED
13.6.2014

PETITIONER/PETITIONER IN WPC:

B.K.SANDHYA AGED 32 YEARS
D/O.K.M.KESHAVAN, BINDHU NIVAS, KARACHAL PO
MEENANGADI, WAYANAD 673591

BY ADV. SRI.B.S.SURESH (CHIRAKKARA)

RESPONDENT(S)/RESPONDENTS NOS.2 AND 3 IN THE WPC:

1. V.S.KRISHNA KUMAR
AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONER
CHAIRMAN & MANAGING DIRECTOR (IN CHARGE)
CANARA BANK, HEAD OFFICE, 112
JC ROAD, BANGALORE 560002
2. CP.GIRI
DEPUTY GENERAL MANAGER
AGE AND FATHER'S NAME NOT KNOWN TO THE PETITIONER
HUMAN RESOURCES WING, CANARA BANK, HEAD OFFICE
NO.112, JC ROAD, BANGALORE 560002

R BY SRI.P.GOPINATH MENON, SC, CANARA BANK

THIS CONTEMPT OF COURT CASE (CIVIL) HAVING COME UP FOR
ADMISSION ON 02-09-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S ANNEXURES:

- ANNEXURE A1: THE COPY OF THE TERMINATION LETTER ISSUED BY THE
ASSISTANT GENERAL MANAGER OF the BANK DATED 28.2.2011.
- ANNEXURE A2: THE COPY OF THE TRANSFER ORDER DATED 28.2.2011 ISSUED
BY the 3RD RESPNDENT.
- ANNEXURE A3: THE CERTIFIED COPY OF THE ORDER IN WPC 3163/2014 DATED
13.6.2014.

RESPONDENTS' ANNEXURES: NIL.

TRUE COPY

P.A. TO JUDGE.

kp/-

P.N.RAVINDRAN, J.

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Contempt Case (C) No.1186 of 2015

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Dated this the 2nd day of September, 2015

JUDGMENT

This contempt case is filed alleging that the respondents herein who are the Chairman & Managing Director and the General Manager respectively of Canara Bank have wilfully disobeyed Annexure A3 order passed by this court on 13.6.2014 in W.P.(C).No.3163 of 2014. It is stated that though by the said order this court had directed the respondents herein to file counter affidavit within two months from 13.6.2014, a counter affidavit has not so far been filed.

This contempt case is in my opinion without any merit. If the respondents in the writ petition do not file a counter affidavit and traverse the averments in the writ petition, the petitioner can only request this court that the averments in the writ petition have not been denied and therefore they must be taken to have been admitted. The consequence of the respondents in the writ petition in not filing a counter affidavit can only be that and that alone. I therefore find no grounds to entertain this contempt case. It fails and is accordingly dismissed with the above observation.

**P.N.RAVINDRAN
JUDGE**

kp/-