

THE HON'BLE SRI JUSTICE K.C. BHANU
AND
THE HON'BLE SRI JUSTICE M.S.K.JAISWAL

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CONTEMPT CASE No.901 OF 2015

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ORDER: (per Hon'ble Sri Justice K.C.Bhanu)

This Contempt Case, under Sections 10 to 12 of the Contempt of Courts Act, 1971 is filed to punish the respondents for wilful disobedience of the order, dated 09.05.2015, in P.I.L (SR) No.78265 of 2015 passed by this Court.

2. Heard both sides.

3. Operative portion of the order, dated 09.05.2015, in P.I.L (SR) No.78265 of 2015 reads as follows:

“Enough material is placed before this Court to show that the strike is, *prima facie*, illegal. Hence, we are, *prima facie*, satisfied that the strike by the employees' unions is illegal and therefore, direct the employees to forthwith join the duties. In view of the strike, common man is suffering apart from student community. We will pass appropriate orders after hearing the unions and the State Governments with regard to the grievances of the employees.”

4. Respondents filed counter affidavit tendering unconditional apology for not implementing the order of this Court, dated 09.05.2015. Relevant portion in the counter reads as follows:

“The strike notice was given by the Trade Unions after a collective decision and to call off the strike also a collective decision is required. It is impossible for me alone to call of the strike and make all the employees to join the duties from 10.05.2015. I respectfully submit that I have great respect for the orders of the Hon'ble Court and I have no intention to violate its orders. However, in the facts of the case the allegations made by the petitioner in the CC is unsustainable. The Respondents 2 and 3 herein are also highly law abiding citizens and they have all the respect for the orders of the

Hon'ble Court. If for any reason, the Hon'ble Court finds that there was contempt committed by me, I tender my unconditional apology to the Hon'ble Court and I pray the Hon'ble Court to kindly accept the same in the interest of justice. The Office Bearers of the other Unions also offer their unconditional apology to the Hon'ble Court to condone the lapses if any on their part in the interest of justice."

5. Accepting the unconditional apology, this Contempt Case is closed. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this Contempt Case shall stand closed.

JUSTICE K.C. BHANU

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JUSTICE M.S.K.JAISWAL

JULY 01, 2015
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AND
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DATE: 01.07.2015

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