

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

CONTEMPT CASE NO.1304 OF 2013

ORDER:

This Contempt Case is filed, alleging violation of the order passed by this Court in W.P.No.36382 of 2012 dated 26.11.2012.

The order of this Court required the second respondent to pass orders either in the appeal or in the application seeking stay within two weeks from the date on which an appeal is preferred. On the ground that no orders were passed in the appeal, the petitioner has filed the present Contempt Case.

Sri L.Prabhakar Reddy, learned counsel for the petitioner, would submit that an order has since been passed on 04.11.2013; and the petitioner did not forward a copy of the order of this Court to the respondents, though the petitioner had filed the appeal within time. Sri M.Rajamalla Reddy, learned counsel for the respondents, submits that the delay in compliance is solely on account of non-receipt of a copy of the order of this Court; and it is for the first time, when the notice in the Contempt Case was received, that they came to know of the order of this Court.

It is only if the order of this Court is violated and if the violation is wilful and deliberate, would action be required to be taken under the Contempt of Courts Act, 1971 ("the Act" for brevity). It appears that non-compliance of the order of this Court is because the respondents did not receive a copy of the order of this Court. Violation of the order cannot, therefore, be said to be wilful or deliberate. As the order of this Court has since been complied with, I see no reason to proceed against the respondents under the Act.

The Contempt Case is closed. Miscellaneous applications, if any, pending shall stand closed.

(RAMESH RANGANATHAN, J)

10th April 2015

RRB

