

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Contempt Case No.1153 of 2015

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Dated 03.07.2015

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Between:

Smt.G.Varalakshmi

... Petitioner

and

-
Mr.A.Mallikarjuna

...Respondent

Counsel for the petitioner: Mr.P.Rama Bhoopal Reddy

Counsel for the respondent: None appeared

The Court made the following:

Order:

This Contempt Case is filed alleging willful disobedience of Order, dated 07-11-2014, in WP.No.3631 of 2014, by the respondent.

By the above-mentioned order, this Court has suspended the order passed by the respondent herein, whereby the petitioner's fair price shop authorization was suspended pending enquiry. The petitioner averred that pending the Writ Petition and during the subsistence of the interim order, the respondent has

passed the order of cancellation on 06-06-2015.

A perusal of the interim order, dated 27-11-2014, passed in WP.No.36315 of 2014 shows that the respondent was not restrained from proceeding with the enquiry and passing a final order. Therefore, mere pendency of the Writ Petition and subsistence of interim order will not preclude the respondent from proceeding further. In this view of the matter, I do not perceive passing of final order of cancellation after enquiry as constituting contempt of this Court.

Hence, I do not find any merit in the Contempt Case and the same is, accordingly, dismissed. However, dismissal of this Contempt Case cannot be understood as this Court upholding Order, dated 06-06-2015, cancelling the petitioner's authorisation on merits. The petitioner is entitled to avail appropriate legal remedies, if she feels aggrieved by the said order.

As a sequel to dismissal of the Contempt Case, Application No.695 of 2015, filed by the petitioner for interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 3rd July, 2015
LUR