

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

CONTEMPT CASE NO.2181 OF 2016

DATED:11-11-2016

Between:

Mattupalli Sambaiah

... Petitioner

And

T. Suneetha Rani

... Respondent

COUNSEL FOR THE PETITIONER: Mr. R.V. Surendranath Varma

COUNSEL FOR THE RESPONDENTS: -



THE COURT MADE THE FOLLOWING:

ORDER:

This contempt case is filed alleging wilful disobedience of interim order dt.28.01.2016 in W.P. No.2300 of 2016 wherein this Court has restrained the respondent herein from disbursing the annuity amount to respondent Nos.4 to 6 in the writ petition, pending further orders.

In the affidavit filed in support of the contempt case, it is *inter alia* stated that the annuity amount was not deposited in the Court below till date and it has come to the notice of the petitioner that the respondent has directly paid the amount to respondent Nos.4 to 6 in the writ petition. The petitioner has not pleaded in his affidavit as to the date on which he has intimated about the interim order passed in W.P. No.2300 of 2016 to the respondent and whether the alleged disbursement was subsequent to the passing of the aforementioned order. The petitioner has not even claimed to have issued any notice to the respondent alleging violation of the order of this Court. The contempt proceedings being quasi criminal in nature, the same cannot be entertained on vague and unsubstantiated allegations. As the petitioner has failed to plead and *prima facie* prove the above mentioned aspects, the contempt case cannot be entertained.

The contempt case is accordingly dismissed. However, this order does not preclude the petitioner from filing a fresh contempt case with proper pleadings and *prima facie* proof that the respondent has disbursed the annuity amount after passing of the interim order by this Court.

As a sequel to dismissal of the contempt case, Application No.1021 of 2016 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

11-11-2016
bnr

