

THE HON'BLE SRI JUSTICE S.V.BHATT

CONTEMPT CASE No.708 of 2016

ORDER:

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Heard Mr.K.S.Murthy for petitioner and Government Pleader for Assignment for respondents.

On behalf of respondents, it is submitted that W.A.No.595 of 2016 filed against the order in W.P.No.8168 of 2009 was heard by the Hon'ble Division Bench on 14-07-2016 and the following order has been passed :-

“Heard learned Government Pleader for the appellants and Mr.K.S.Murthy, learned counsel for respondent Nos.1 to 11.

We have perused the entire material placed before us including the impugned order. When we expressed that the appeal does not deserve consideration, learned Government Pleader, after seeking instructions from the concerned Tahsildar, who is present in the Court, does not press the appeal and seeks reasonable time to make ex gratia payment as per the order, dated 02.03.2007, passed by Tahsildar, Toopran.

Mr.K.S.Murthy has no objection for granting reasonable time to the appellants to make ex gratia payment.

In the circumstances, we dispose of this appeal granting time till the end of November, 2016 to the appellants to make ex gratia payment, failing which, it is made clear that this Court may take serious view of the matter.”

It is further submitted by the Government Pleader that having regard to the order in Writ Appeal, the respondents have time till November, 2016 to comply with the order in W.P.No.8168 of 2009.

Mr.K.S.Murthy, learned counsel appearing for petitioner, however, submits that the order of this Court in W.P. is to be implemented. Therefore, the Contempt Case may be directed to be listed in the 1st week of December, 2016.

I have perused the material available on record, particularly the order of Hon'ble Division Bench, dated 14-07-2016.

This court is of the view that the cause in the contempt case may not survive for the present. However, if the order is not complied with within the time granted by the Hon'ble Division Bench, it is open to petitioner to press for taking serious view either by this Court or the Division Bench.

With the above observation, the Contempt Case is closed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

S. V. BHATT, J

Dt: 18-07-2016
Prv

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