

*THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE Dr. JUSTICE B. SI VA SANKARA RAO*

CONTEMPT CASE No.2083 of 2016

ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

This contempt case was instituted alleging willful disobedience to the order dated 01.06.2016 passed by this Court in W.P.M.P.No.20504 of 2016 in W.P.No.16629 of 2016. By the said order, this Court stayed the confirmation of the sale scheduled to be held on 03.06.2016 subject to the condition that the petitioner deposits a sum of Rs.1.00 crore on or before 02.07.2016.

Sri P. Prabhakara Rao, learned counsel for the petitioner, states that this conditional order was complied with but, the sale did not fructify on 03.06.2016 for want of bidders. He further states that the respondent/bank thereafter issued another sale notice on 22.08.2016 proposing to hold the auction on 05.10.2016. This, according to the learned counsel, would constitute contempt warranting exercise of jurisdiction by this Court under Article 215 of the Constitution read with Section 12 of the Contempt of Courts Act, 1971.

We however find that the interim order passed by this Court related only to the sale scheduled to be held on 03.06.2016. The order therefore cannot be given a larger meaning so as to extend it to a subsequent sale notice or an auction sale pursuant thereto. It is for the petitioner to seek appropriate relief in relation to the subsequent sale notice, if he is aggrieved thereby.

Leaving it open to the petitioner to do so, the contempt case is closed. No order as to costs.

SANJAY KUMAR, J

Dr. B. SI VA SANKARA RAO, J

Date:18.11.2016
GJ