

THE HON'BLE SRI JUSTICE SANJAY KUMAR

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CONTEMPT CASE Nos.96 and 350 of 2016

COMMON ORDER:

These two contempt cases were filed alleging willful disobedience to the order dated 24.12.2009 passed by this Court in W.P.No.22713 of 2004.

However, it is an admitted fact that W.A.No.260 of 2010 was filed by the respondents in the writ petition against the afore-stated order and by order dated 31.03.2015, a Division Bench of this Court modified the order dated 24.12.2009 passed in the writ petition. The observation by the bench to the effect that the writ appeal was disposed of and the order dated 24.12.2009 of the learned single Judge stood modified to the extent indicated clearly puts it beyond doubt that the order in the writ petition merged with the order passed in the writ appeal. Any grievance that the petitioners may have as to non-compliance would therefore have to be in relation to the bench order in W.A.No.260 of 2010 and no allegation of contempt can be made in relation to the order dated 24.12.2009 passed in W.P.No.22713 of 2004.

The contempt cases are accordingly dismissed leaving it open to the petitioners to pursue their remedies insofar as the alleged contempt is concerned before the appropriate forum in relation to the proper proceeding. No order as to costs.

JUSTICE SANJAY KUMAR

Date:17.06.2016

GJ