

HONOURABLE SRI JUSTICE A.RAMALINGESWARA RAO

CONTEMPT CASE No.1718 of 2016

ORDER:

1. This Contempt Case is filed alleging non-implementation of the order dated 12.08.2016 passed by this Court in W.P.No.27253 of 2016.

2. A notice was issued on 17.09.2016 in the present contempt case and a counter-affidavit is filed by the 3rd respondent stating that the order dated 12.08.2016 was not handed over to him on 13.08.2016 as alleged by the petitioner. He passed an order on 18.08.2016 by mistake in ignorance of the order passed by this Court on 12.08.2016.

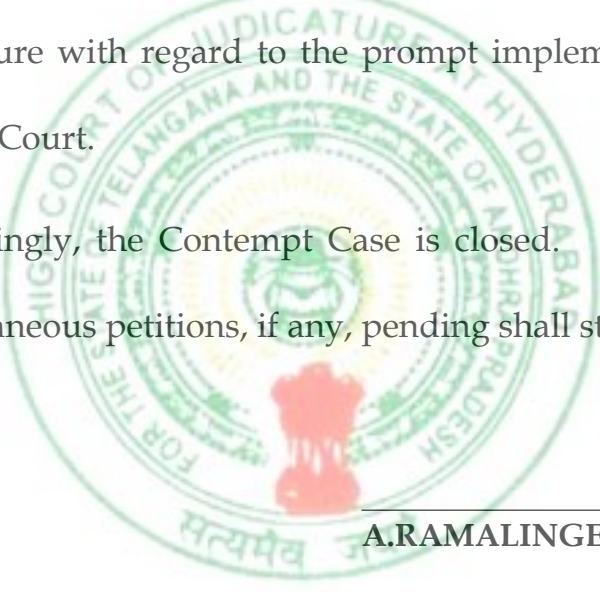
3. The learned Counsel for the petitioner submits that the order was passed in the presence of the learned Standing Counsel for the respondents and it was communicated to the respondents by sending it through courier on 13.08.2016. He submits that the denial by the respondents is not borne out by the record. The learned Counsel for the petitioner further submits that the order dated 18.08.2016 is in deliberate violation of the order passed by this Court on 12.08.2016, which was later on rescinded and the order passed by this Court was implemented by passing another order on 26.08.2016.

4. The enquiry with regard to the knowledge of the order passed by this Court and its violation involves some exercise which may not be in the interest of the public exchequer since the respondents implemented the order of this Court on 26.08.2016. The 3rd

respondent states that he received the copy of the order sent by the petitioner through courier on 20.08.2016. He waited till the order passed by the 4th respondent on 26.08.2016 for complying with the order of this Court. It is needless to observe that the orders of this Court shall be complied with without waiting for the orders from the superior officer with regard to compliance. Though there was delay in complying with the order, this Court does not wish to prosecute the case further and closes the present Contempt Case with an observation that the contemnor, respondent No.3, shall be careful in future with regard to the prompt implementation of the orders of this Court.

5. Accordingly, the Contempt Case is closed. No order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

09-12-2016
Gsn

A.RAMALINGESWARA RAO, J