

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

—
CONTEMPT CASE No.1285 of 2013

ORDER:

The petitioner filed W.P.No.31776 of 2012 seeking release of the amounts to a tune of Rs.19,08,874/- along with interest accrued thereon @ 24% per annum from due date till the date of payment for supply of materials for utilization in Sri Sammakka Saralamma Jathara, Medaram, 2012, and for supply of UPS, batteries etc., and photocopy machine and stationery etc. This Court disposed of the said Writ Petition on 19.11.2012 observing that out of the tune of Rs.23,08,874/- claimed by the petitioner, only Rs.4,00,000/- was paid as advance and the claim was made by the petitioner for an amount of Rs.19,08,874/-. The claim of the petitioner was tried to be justified by the petitioner. However, this Court in the order observed that the quantity of work or the value of the material supplied by the petitioner needed to be ascertained by the first respondent therein and since eight months had elapsed after completion of jathara, the first respondent therein was directed to finalize the payment of bills within a period of four weeks. When no payment was made, the petitioner got issued a notice through its Counsel on 05.03.2013 and in the said notice the petitioner admitted receipt of an amount of Rs.8,17,704/- after disposal of the Writ Petition. The petitioner still claimed an amount of Rs.10,91,170/-. This Contempt Case is filed for not paying the said amount.

Though this case was not admitted, counter affidavit was filed by the first respondent stating that the above amount of Rs.8,17,704/- was paid in the month of November, 2012, and a sum of Rs.82,000/- was also paid in the month of April, 2014, and the order was complied with, as the first respondent finalized the payment of bills pursuant to the order of this Court.

In view of the compliance with the order, though the petitioner

disputes total compliance, which cannot be enquired into in a contempt proceedings, the present Contempt Case is dismissed leaving it open to the petitioner to work out its remedies as per law with regard to the balance claimed, if any.

(A.RAMALINGESWARA RAO, J)

22.04.2016

vs