

HON'BLE SRI JUSTICE S.V. BHATT

C.C.No.112 OF 2016

ORDER:

On 19.02.2016, Mr.Devanand learned counsel for the respondent requested time to get instructions in the contempt case.

The petitioner complains disobedience of the order dated 02.03.2015 in writ petition No.12992 of 2013. The operative portion of the order reads as follows:

"I have perused the material available on record. Without expressing any opinion on the merits of petitioner's claim, the writ petition is disposed of directing the second respondent to positively consider and dispose of the representations within a period of eight weeks from the date of receipt of a copy of this order and communicate his decision to the petitioner. Ultimately, if the petitioner is aggrieved by the said communication, the petitioner is at liberty to pursue the legal remedies.

With the above directions, the writ petition is disposed of. No order as to costs."

The complaint of petitioner is that the respondent has disobeyed the direction and is liable for action under the Contempt of Courts Act. Today, at the time of hearing, Mr.Devanand placed on record the instructions received from the respondent. The instructions read as follows:

"In the reference 1st cited, you organization has requested this office to payment of repair charges to the Biometric Machines. The representation has been not considered due to non deliver of machines to this office.

In view of the Hon'ble AP High Court issued orders vide reference 2nd cited, I request you to deliver the Biometric Machines of AP share to the O/o. CH&FW, AP. Sulthan Bazar, Koti, Hyderabad for making the payments."

From the above, it is clear that the respondent is prepared to act on the representation of petitioner provided the petitioner discharges his obligation of returning Biometric Machines of A.P. share at the office of Commissioner of Health and Family Welfare, DM & HS Campus.

Learned counsel for the petitioner submits that his client would approach the respondent as advised through letter dated 21.02.2016. Having regard to the above circumstances, I see no reason to pursue the contempt case and is closed. The petitioner is given liberty to approach the respondent with a copy of this order and also the Biometric Machines which are allotted to A. P. share and take acknowledgement from the respondent for further action.

S.V.BHATT, J

Date:23.02.2016
Stp