

HONOURABLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE NO.2430 OF 2016

Date: 12.06.2017

Between:

IVRCL Infrastructures & Projects Limited,
MIHR, 8-2-350/5/A/24/1B, Road No.2,
Panchavati Colony, Banjara Hills,
Hyderabad, rep. by A.Nanda Kumar,
S/o Balaswamyh, Sr.Manager.

..... Petitioner/writ petitioner

and

Mr. S.Kanthanadh, Superintending Engineer,
RWS & S Circle, Ongole, Prakasam District
and another.

.....Respondents/ respondents 3 & 4
in writ petition



The Court made the following:

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ORDER:

When the Writ Petition No.17220 of 2015 was taken up for consideration, on behalf of the petitioner submission was made that statement filed on 26.06.2013, in accordance with clause-3 of the Agreement, dated 16.03.2006, was pending, direction be issued to pass orders as per such statement and that if the amounts are not released, he would work out his remedies. Having regard to the said submission, writ petition was disposed of, directing the respondents 3 and 4 to consider statement of account filed by the petitioner on 26.06.2013 and pass orders as warranted by law.

2. Alleging disobedience of the said orders, this contempt case is filed.

3. In the counter-affidavit filed on behalf of the respondents, it is asserted that the required formalities of entering into agreement were completed. The supplementary agreement was entered on 13.01.2016, which was referred to Deputy Executive Engineer with a request to submit final bill for the work done. In turn, Deputy Executive Engineer submitted the final bill to the Office of the Executive Engineer. However, the Office of the Executive Engineer returned the same to the Deputy Executive Engineer for resubmission after obtaining the signature of the contractor, which was missing in C.C.forms. The averments disclose that thereafter contractor did not turn up to append his signature and there was no response even to a letter sent by registered post, though received by the petitioner on 05.01.2017. It is thus contended that

all efforts are made and only because of not authenticating the signature by the petitioner, final bill could not be settled.

4. These averments of the respondents 1 and 2 are not denied. Thus, it cannot be said that respondents have deliberately violated the directions of this Court warranting initiation of the proceedings under the Contempt of Courts Act. Contempt Case is accordingly dismissed.

Miscellaneous petitions, if any, pending shall stand closed.

There shall be no order as to costs.

Date: 12.06.2017
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JUSTICE P.NAVEEN RAO

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