

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

C.C. No. 281 of 2017

ORDER:-

This Contempt Case is filed alleging willful disobedience on the part of the respondents herein in complying with the order dated 08.08.2016 passed by this Court in W.P. No. 33501 of 2014.

By the aforementioned order, this Court made the following observations:

“Learned counsel appearing on behalf of the petitioner submits that the issue raised in the writ petition has become infructuous and seeks permission to withdraw the writ petition.

Permission granted.

The writ petition is accordingly dismissed as withdrawn. I hereby make it clear that if any amount of the petitioner is lying with the respondents as security, the same shall be returned to them within four weeks from today, if not required for any other purpose. Miscellaneous petition pending, if any, shall also stand dismissed. However, in the circumstances, without costs.”

The learned Government Pleader for Women Development & Child Welfare appearing on behalf of the respondents, has submitted a copy of the Proceedings P.C.No.120/ 2013/ A1, dated 17.02.2017 issued by the Joint Collector and Chairman, S.N.P. (ICDS) Committee, Srikakulam, and stated that the respondents have already taken decision in pursuance of the above-mentioned orders of this Court and conveyed the same to the petitioner by virtue of the Proceedings dated 17.02.2017 whereby it is intimated that the

Joint Collector/ Chairman, District Supplementary Nutrition Programme Committee, Srikakulam has every right to cancel the tender and forfeit the security deposit, duly black-listing them, if any deviation takes place in the quantity and quality of Eggs & the terms and conditions are duly stipulated in the agreement executed by M/s.Venkata Sai Traders, Guntur, therefore, the E.M.D. of Rs.10,00,000/- (Rupees Ten Lakhs Only) is forfeited in view of the above facts and circumstances.

Keeping in view the Proceedings dated 17.02.2017 issued by the 2nd respondent herein, I am of the opinion that no contempt much less willful contempt can be alleged against the respondents.

Accordingly, the Contempt Case is closed. However, it is made clear that if the petitioner – M/s.Sri Venkata Sai Traders, in any manner, is aggrieved by the Proceedings dated 17.02.2017 issued by the Joint Collector and Chairman, it may challenge the same in separate proceedings before the appropriate forum. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

SURESH KUMAR KAIT, J

10.03.2017

bcj