

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

Contempt Case No.1974 OF 2016

ORDER: (Per the Hon'ble The Acting Chief Justice Ramesh Ranganathan)

We had, by our order in C.C.No.1974 of 2016 dated 28.07.2017, sentenced the respondent-contemnor to be detained in civil prison for a period of six months, and in addition, to pay a fine of Rs.2,000/- within four weeks from the date of the order. Aggrieved thereby, the respondent-contemnor carried the matter in appeal and, by order in C.A.No.10242 of 2017 dated 10.08.2017, the Supreme Court permitted the respondent-contemnor to present himself before us with a Demand Draft, drawn in the name of the concerned Commercial Tax Officer, for Rs.42,08,818/-; and two Demand Drafts for a total sum of Rs.2,00,000/- i.e., Rs.1,00,000/- each in the name of the Telangana State Legal Services Authority and the Andhra Pradesh State Legal Services Authority; and submit a written apology and make an apology in open Court.

On 18.08.2017, Sri K. Ramakanth Reddy, learned counsel appearing on behalf of the respondent-contemnor, handed over three Demand Drafts for a total sum of Rs.42,08,818/- to Sri S. Suri Babu, learned Special Standing Counsel for Commercial Taxes; and two Demand Drafts, of Rs.1,00,000/- each, to the Registrar-General who, in turn, handed over the same to the Member-Secretaries of both the State Legal Services Authorities. The matter was adjourned to enable the learned Special Standing Counsel for Commercial Taxes and the Member Secretaries of both the State Legal Services Authorities, to report whether or not the Demand Drafts had been encashed.

The respondent-contemnor is present in Court today.

Sri S. Suri Babu, learned Special Standing Counsel for Commercial Taxes, states that all the three Demand Drafts were deposited in the Bank Account, and that a sum of Rs.42,08,818/- has since been realised. The representations, of both the Member Secretaries of the Andhra Pradesh and Telangana State Legal Services Authorities, are placed before us which show that the demand drafts for Rs.1,00,000/- handed over to each of them have also been realised.

By way of an affidavit dated 17.08.2017, the respondent-contemnor has tendered his unconditional apology to this Court. The respondent-contemnor, who is present in the Court today, has also expressed contrition for having violated the undertaking given to this Court.

As the conditions stipulated by the Supreme Court, in its order in C.A.No.10242 of 2017 dated 10.08.2017, have been complied with, we recall the earlier order passed by us in C.C.No.1974 of 2016 dated 28.07.2017. The order dated 28.07.2017 is, accordingly, recalled and set aside. C.C.No.1974 of 2016 is restored to file.

As the respondent-contemnor has paid the sum of Rs.42,08,818/- to the Commercial Tax Officer, Vijayawada, through three Demand Drafts, and has expressed contrition and regret for his acts, we are satisfied that the contemnor has purged himself of contempt.

The Contempt Case is, accordingly, closed. There shall be no order as to costs.

(RAMESH RANGANATHAN, ACJ)

(M. SATYANARAYANA MURTHY, J)

Date: 28.08.2017
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Date: 28.8.2017

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