

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CONTEMPT CASE NO.635 OF 2017

O R D E R

This contempt case was instituted alleging willful disobedience to the order dated 25.04.2016 passed by this Court in W.P.M.P.No.10640 of 2016 in W.P.No.32769 of 2015. By the said order, this Court directed as under:

‘Amounts due to the petitioner shall be quantified and cleared expeditiously and in any event, not later than five weeks from the date of receipt of a copy of this order.’

Sri P.Sridhar Reddy, learned counsel for the petitioner, would state that the respondents filed a counter admitting that the petitioner society handed over the Urban Residential Hostel, Kachiguda premises, on 19.01.2016 and the Urban Residential School, Champapet, on 08.03.2016. Learned counsel would also state that there is a dispute with regard to quantification of the amounts paid up to September, 2015.

The claim of the petitioner society is that they would be entitled to payment of the amounts due from October 2015 to 19.01.2016 in respect of the Kachiguda Hostel and from October 2015 to 08.03.2016 in respect of the Champapet School.

Sri P.Sridhar Reddy, learned counsel, would point out that though the permission in favour of the petitioner society expired in April, 2015, the respondents deemed it appropriate to make the payments due up to October, 2015 and that there is no logic or rationale on their part in refusing to pay the amounts due till the date of actual delivery of the hostel and the school, i.e., 19.01.2016 and 08.03.2016 respectively.

This Court is however of the opinion that, in exercise of contempt jurisdiction, no ascertainment can be made as to what would be due to the petitioner society or quantification of such dues. In the event the petitioner society has any grievance on either count, such grievance would have to be redressed independently and this Court, by way of a contempt case, cannot adjudicate upon such issues.

The contempt case is accordingly dismissed leaving it open to the petitioner to avail appropriate remedies in accordance with law. No order as to costs.

18th AUGUST, 2017

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SANJAY KUMAR, J

