

HON'BLE SRI JUSTICE S.V.BHATT

CONTEMPT CASE No.1694 of 2018

ORDER:

Heard Mr.K.Joseph for petitioner and the learned Assistant Government Pleader for Home for respondents.

The present Contempt Case is filed complaining disobedience that in spite of making representation, the respondents failed to provide police protection as directed by this Court.

The operative portion of order dated 13.11.2017 in W.P.No.36203 of 2017 reads as follows :-

“The petitioner is given liberty to resubmit the representation, for police protection by enclosing a copy of this order within two (02) weeks from today. The respondent Nos.4 and 5 shall consider the representation and take a decision within four (04) weeks thereafter.”

The 1st respondent filed counter affidavit. The relevant portion of the counter affidavit reads as follows :-

“It is submitted that pursuant to the above orders of this Hon'ble Court, the petitioner has not resubmitted the representation for police protection within two (02) weeks from 13.11.2017, as per the orders of this Hon'ble Court in W.P.No.36203/ 17, dated 13.11.2017, to enable the respondent Nos.4 and 5 to consider the representation and take a decision thereon. Therefore, there is no violation of the orders of this Hon'ble Court, as alleged in the contempt case.

This Court is of the view that firstly for any reason the petitioner could not re-submit representation, as directed by this Court. The petitioner ought to have applied for extension of time granted by this Court.

In the case on hand, on the annexures filed by petitioner, it is evident that the representation was submitted on 18.12.2017. Now, the complaint is that the representation is not disposed of. If the petitioner has complied with the condition, then he can complain disobedience by respondents.

For the above reasons, the Contempt Case is dismissed.

Miscellaneous petitions, if any, pending, shall stand closed.

Dt: 14-08-2018
Prv



S. V. BHATT, J