

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SMT. JUSTICE T.RAJANI

CONTEMPT CASE No.2429 of 2018

20.11.2018

Between:

Pantham Dinesh Kumar

..Petitioner

and

V.Indira Priyadarshini

..Respondent

Counsel for the petitioner: Mr.N.Krishna Sumanth
for Mr.B.Vijaysen Reddy

Counsel for the respondent: Mr.K.Srinivasa Reddy

The Court made the following:



ORDER: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This contempt case is filed for punishing the respondent for the alleged willful disobedience of judgment, dated 06.04.2017, in F.C.A.No.83 of 2006.

2. On 26.10.2018, Mr.K.Srinivasa Reddy, learned counsel for the respondent, has agreed on instructions from his client, who happened to be present in the Court, that the respondent will withdraw F.C.O.P.No.466 of 2018 filed in the name of her daughter for maintenance under Section 20 of the Hindu Adoptions and Maintenance Act, 1956, provided the petitioner agrees for including the name of their daughter in the Central Government Health Scheme.

3. Today, at the hearing, the learned counsel for the respondent has submitted that as per the instructions received from his counter part, an application was filed for withdrawal of F.C.O.P.No.466 of 2018 and that on 30.10.2018, an order was passed permitting withdrawal of the said F.C.O.P.

4. Mr.N.Krishna Sumanth, learned counsel representing Mr.B.Vijaysen Reddy, learned counsel for the petitioner,

while disputing the aforesaid submission, has submitted that as per his instructions, none was present on behalf of the respondent on 30.10.2018 before the Court on the file of which F.C.O.P.No.466 of 2018 was pending.

5. As regards the undertaking given by the petitioner that the name of their daughter will be included in the Central Government Health Scheme, the learned counsel for the respondent has submitted that the application to be filed for inclusion of the name of the daughter in the Central Government Health Scheme has been signed by the petitioner and that therefore, he has acted on the assurance given by him to the Court.

6. Inasmuch as the learned counsel for the respondent has made a positive statement that F.C.O.P.No.466 of 2018 has already been withdrawn and the respondent has signed the application for inclusion of the name of their daughter in the Central Government Health Scheme, adjudication of this contempt case, on merits, is not necessary.

7. The Contempt Case is, accordingly, closed, however, with liberty to the petitioner to file a fresh Contempt Case in the event, the respondent has not withdrawn F.C.O.P.No.466 of 2018 and if she seeks to pursue the said case in future.

C.V.NAGARJUNA REDDY, J

20th November, 2018
GHN

T.RAJANI, J

