

HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

CONTEMPT CASE No.87 of 2019

ORDER:

This Contempt Case is filed alleging willful disobedience of the order dt.18-12-2018 in C.C.No.2850 of 2018.

2. C.C.No.2850 of 2018 was filed alleging willful disobedience of the order dt.10-10-2018 in I.A.No.1 of 2018 in W.P.No.36812 of 2018.

3. I.A.No.2 of 2018 had been filed to vacate the said order, and on 18-12-2018, both I.A.No.1 of 2018 as well as W.P.No.36812 of 2012 were disposed of, W.P.No.36812 of 2018 was allowed, and the respondents in the Contempt Case were directed to restore power supply to the property purchased by the petitioners from the Canara Bank without insisting on the petitioners clearing the alleged dues of the previous owner within one week.

4. On the same day, C.C.No.2850 of 2018 was also disposed of stating that Writ Petition had been allowed by separate order and one week time has been granted to the respondents from the date of receipt of the said order to comply with the order dt.10-10-2018 in I.A.No.1 of 2018 in W.P.No.36812 of 2018, and the Contempt Case was closed.

5. Alleging that the said order dt.18-12-2018 in C.C.No.2850 of 2018 has not been complied with, this Contempt Case is filed.

6. It is not in dispute that the order passed in W.P.No.36812 of 2018 was challenged by respondents in W.A.No.58 of 2019 and there was an

interim order granted on 05-02-2019 giving effect to the direction passed by me in W.P.No.36812 of 2018. The said Writ Appeal is still pending.

7. Though C.C.No.363 of 2019 was filed for not implementing the interim order in the Writ Appeal, ultimately, the said Contempt Case was closed on 10-04-2019.

8. Having regard to the fact that the order in W.P.No.36812 of 2018 is now subject matter of W.A.No.58 of 2019, which is still pending on the file of this Court, I do not deem it appropriate to take any action against respondents in C.C.No.87 of 2019.

9. Petitioners are however granted liberty to pursue W.A.No.58 of 2019 and seek whatever appropriate relief the petitioners seeks in the Writ Appeal.

10. This Contempt Case is accordingly closed. No costs.

11. Pending miscellaneous petitions, if any, shall stand closed.

M.S.RAMACHANDRA RAO, J

Date : 27-12-2019.

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