

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

CONTEMPT CASE NO.540 of 2019

ORDER: (per SK,J)

This contempt case was instituted alleging wilful disobedience to the order dated 08.11.2018 passed in W.P.No.38020 of 2018 and to punish the respondents under Sections 10 to 12 of the Contempt of Courts Act, 1971 (for short, 'the Act of 1971').

2. Sections 10 to 12 of the Act of 1971 deal with punishment for committing civil contempt. 'Civil contempt' is defined under Section 2(b) thereof as wilful disobedience to any judgment, decree, direction, order, writ or other process of a Court or wilful breach of an undertaking given to a Court.

3. This being the legal position, perusal of the order dated 08.11.2018 passed in W.P.No.38020 of 2018 demonstrates that the said writ petition was closed in the light of the understanding arrived at between the parties with regard to withdrawal of pending criminal cases and co-operation in getting their marriage nullified.

4. Neither a direction nor an undertaking figures in the order whereby any disobedience thereto can be alleged.

5. The contempt case is therefore utterly misconceived and is accordingly dismissed. I.A.No.1 of 2019 shall stand dismissed in consequence. No order as to costs.

SANJAY KUMAR,J

T.AMARNATH GOUD,J

Date:13.09.2019

PGS

