

HONOURABLE SRI JUSTICE SANJAY KUMAR
AND
HONOURABLE SRI JUSTICE T.AMARNATH GOUD

CONTEMPT CASE No.676 of 2018

ORDER: *(per Hon'ble Sri Justice Sanjay Kumar)*

This Contempt Case was instituted alleging willful disobedience to the *status quo* order dated 20.12.2016 passed in A.S.M.P.No.1928 of 2016 in A.S.No.649 of 2016. The said Miscellaneous Petition was filed by the respondent herein along with another seeking an injunction restraining the appellants in the appeal, *viz.*, the petitioners in this Contempt Case, from encumbering, transferring or alienating the suit schedule property pending disposal of the appeal. By the order dated 20.12.2016, both parties were directed to maintain *status quo* as an order of *status quo* was in operation during the pendency of the suit.

Perusal of the affidavit filed in support of this Contempt Case demonstrates that the alleged violation of the aforestated *status quo* order was in the form of disturbance to the peaceful possession and enjoyment of the petitioners over the suit schedule property.

It is significant to note that the *status quo* order was passed upon the application made by the respondent herein along with another based on their apprehension that the appellants in the appeal would either encumber, transfer or alienate the suit schedule property pending disposal of the appeal. There was no order granted in relation to the possession of either party over the suit schedule property.

In that view of the matter, we are of the opinion that this Contempt Case is utterly misconceived.

The Contempt Case is accordingly dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

JUSTICE T.AMARNATH GOUD

30th July, 2019
dr

