

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CONTEMPT CASE No.446 of 2016

ORDER:

This contempt case was instituted against Ravi Kumar, Station House Officer, Kagaznagar Town Police Station, Kagaznagar, Adilabad District, the sole respondent in this contempt case, alleging wilful disobedience to the order dated 10.12.2015 passed in W.P.No.18819 of 2015. By the said order, the police authorities were directed to abide by the law laid down by the Supreme Court in LALITA KUMARI V/ s. GOVERNMENT OF UTTAR PRADESH¹ in relation to the petitioner's complaint dated 24.01.2015. Needless to state, the Station House Officer of the police station would have to register a FIR on the strength of the said complaint if the commission of any cognizable offence is made out.

2. However, A.Ravi Kumar, the sole respondent in this contempt case, filed a counter-affidavit stating that he worked in Kagaznagar Town Police Station from December, 2013 to December, 2014 and was thereafter transferred to the office of the Deputy Inspector General of Police, Warangal, in December, 2014. He stated that he was relieved from Kagaznagar Town Police Station on 06.12.2014 at 11.30 AM.

3. In the light of the aforestated counter-affidavit averments, which remain un rebutted, it is clear that the sole respondent was not even in office at Kagaznagar Town Police Station on 10.12.2015 when the order was passed in the writ petition. Therefore, no blame can be laid at his door by any stretch of imagination.

4. The contempt case is accordingly dismissed. No order as to costs.

SANJAY KUMAR, J

Date:30.08.2019
PGS

¹ (2014) 2 SCC 1