

**HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN
AND
HON'BLE SRI JUSTICE A. RAJASHEKER REDDY**

CONTEMPT APPEAL No.40 of 2018

JUDGMENT: *(per the Hon'ble the Chief Justice Sri Thottathil B. Radhakrishnan)*

Read the order dated 24.01.2019.

2. Today also, there is no appearance for the appellant.
3. The appeal is essentially against the contents of paragraph No.12 of the impugned order passed by the learned Single Judge. While considering the Contempt Case, the learned Single Judge has accepted the apology tendered by the contemnors on condition imposed through paragraph No.12. This is to the effect that certain payments are to be made to the petitioner in the Contempt Case. We are unable to appreciate the plea of the appellant that such direction for payment is a direction given in the Contempt Case goes independent of the contempt of Court's jurisdiction and therefore, such an order could not have been made. This is not a direction issued independent of the decision making process on the Contempt Case. It is a condition imposed by the learned Single Judge while accepting the unconditional apology. The apology tendered by the contemnors therefore would stand accepted only on compliance of the condition

imposed through paragraph No.12 of the impugned order. We do not find any illegality or jurisdictional error in the order impugned.

4. The Contempt Appeal fails and the same is accordingly dismissed.

Pending miscellaneous petitions, if any, shall also stand dismissed. There shall be no order as to costs.

THOTTATHIL B. RADHAKRISHNAN, CJ

Date: 25.01.2019

A. RAJASHEKER REDDY, J

kvni