IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF DECEMBER, 2020

PRESENT

THE HON'BLE MR.ABHAY S. OKA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE S.VISHWAJITH SHETTY

C.C.C. NO. 463 OF 2020 (CIVIL)

BETWEEN:

M/S A.M CONSTRUCTIONS
A REGISTERED PARTNERSHIP FIRM
HAVING ITS OFFICE AT NO.34
INDIRA AKASH APARTMENT
21ST MAIN, 3RD D CROSS,
BRM 2ND STAGE
BANGALORE – 560076.

REP. BY ITS PARTNERS:

MR MOHAMMED ARIF ALI
S/O MOHAMMED RAZACK ALI
AGED ABOUT 64 YEARS.

MR N MOHAN
S/O LATE N NAGABHUSHANAPPA
AGED ABOUT 57 YEARS.

… COMPLAINANT

(BY SHRI SHARATH GOWDA G.B, ADVOCATE)

AND:

1. SMT GAYATHRI
D/O VIJAYALAKSHMI
AGED 36 YEARS.

2. SMT SARASWATHI
D/O LATE R SATHYA BHEEMA RAO
AGED ABOUT 56 YEARS.

3. SRI KRISHNA
S/O LATE R SATHYA BHEEMA RAO.

4. SRI SRINIVAS
S/O LATE R SATHYA BHEEMA RAO
AGED ABOUT 49 YEARS.

ALL THE ABOVE RESIDING AT NO.220
12TH MAIN, LAKKASANDRA EXTENSION
WILSON GARDEN,
BANGALORE - 560030.

… ACCUSED

(BY SHRI VENUGOPAL M.S, AGA FOR A-1 TO A-4)

THIS C.C.C. IS FILED UNDER SECTIONS 11 AND 12 OF CONTEMPT OF COURTS ACT, 1971 READ WITH ARTICLE 215 OF THE CONSTITUTION OF INDIA, PRAYING TO INITIATE PENAL ACTION AGAINST THE ACCUSED PERSONS/RESPONDENTS FOR THE DELIBERATE CONTEMPT OF THE ORDER DATED 10.02.2020 PASSED BY THE HON'BLE HIGH COURT AS PRODUCED AT ANNEXURE A PASSED IN WRIT PETITION No.54653/2017 AND WP No.55791/2017 AND ETC.

THIS C.C.C. COMING ON FOR ORDERS THROUGH VIDEO CONFERENCING THIS DAY, ***CHIEF JUSTICE*** MADE THE FOLLOWING:

ORDER

The learned counsel appearing for the complainant states that the accused have handed over possession of the premises to the complainant yesterday in the afternoon. The possession has been handed over in terms of the undertaking given by the respondents-accused to the Court and in terms of the order dated 10th February, 2020.

2. Thus, there is a compliance with the undertaking and the order of this Court. The compliance has been made without prejudice to the right of the complainants to prosecute the pending Special Leave Petition. Hence, it is not necessary to initiate any action under the Contempt of Courts Act, 1971.

3. Accordingly, the petition is disposed of.

Sd/-
CHIEF JUSTICE

Sd/-
JUDGE

vgh*