

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2021

CORAM

THE HON'BLE MR.JUSTICE **M.M.SUNDRESH**

and

THE HON'BLE MS.JUSTICE **R.N.MANJULA**

Contempt Petition No.804 of 2017

P.Arumugam

..Petitioner

Vs

1.I.Shiva Nainar

The Chief General Manager,  
(Channel Management & Customer  
Service) National Banking Group,  
(Formerly Chief General Manager,  
(Retail Banking), State Bank of Mysore,  
Bangalore), State Bank of India,  
Corporate Centre, State Bank Bhawan,  
Madame Cama Road, Mumbai - 400 021.

2.T.Keshav Kumar

The Chief General Manager,  
Stressed Asset Management Group I,  
(Formerly Chief General Manager),  
(Commercial Banking), State Bank of Mysore,  
Bangalore, State Bank of India,  
Corporate Centre, State Bank Bhawan,  
Madame Cama Road, Mumbai 400 021.

3.C.P.Kishor Babu,

The General Manager,  
SAMRO, Central Stressed Asset Management  
Group, Formerly General Manager(HR/

Operations, State Bank of Mysore, Bangalore),  
 State Bank of India, Corporate Centre,  
 State Bank Bhawan,  
 Madame Cama Road, Mumbai 400 021.

4.S.Badrinath,  
 Deputy General Manager,(Credit Management Cell,  
 (GM & CCO Department) National Banking Group,  
 Formerly Deputy General Manager (HR/Operations,  
 State Bank of Mysore, Bangalore.  
 State Bank of India, Corporate Centre,  
 State Bank Bhawan, Madame Cama Road,  
 Mumbai - 400 021.

5.V.Chandrasekar,  
 Deputy General Manager,  
 Formerly State Bank of Mysore,  
 Central Zone, Now State Bank of India,  
 NSC Bose Road, Chennai - 600 001

6.Ravi Nandan Sahay  
 Chief General Manager,  
 Associate and Subsidiaries Department,  
 State Bank of India, Corporate Centre,  
 IV Floor, State Bank Bhawan,  
 Madame Cama Road, Mumbai - 400 021.

7.Jayaraman Ramamoorthy,  
 Chief General Manager,  
 Human Resources Department,  
 State Bank of India, Corporate Centre,  
 16th Floor, State Bank Bhawan,  
 Madame Cama Road, Mumbai - 400 021.

(Respondents 1 to 5 are amended as per  
 order in Sub Appln No.352/17 in  
 Cont P No.804/17 dated 13.10.2017;  
 Respondents 6 and 7 are impleaded  
 vide order dated 13.10.2017)

.. Respondents

Petition filed under Section 11 of the Contempt of Courts Act, 1971 for wilfully disobeying the order dated 26.02.2016 passed in W.A.No. 1144 of 2011 and W.P.No. 1178 of 2012.

For Petitioner : Mr.K.R.Vijayakumar

For Respondents : Mr.S.Sethuraman

**ORDER**

(Made by *M.M.SUNDRESH, J.*)

Alleging that the order of this Court dated 26.02.2016 passed in W.A.No. 1144 of 2011 and W.P.No. 1178 of 2012 has not been complied with, the present contempt petition has been filed.

2.Heard the learned counsel appearing for the petitioner and the learned counsel for the respondents.

3.On 09.11.2020, upon hearing the learned counsel for the petitioner, we have passed the following order:

*"4.Though, prima facie, we do not find any wilful disobedience on the part of the respondent Bank, we permit the petitioner to make a representation to the respondent Bank within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondent Bank shall*

*consider the same and take an appropriate decision within a period of four weeks thereafter."*

4. Now, it appears that an order has been passed by the respondents on 08.01.2021. Law is quite settled that any decision made in the purported compliance of the order passed by this Court cannot be termed as wilful and contumacious. In such view of the matter, the only remedy open to the petitioner is to challenge the order dated 08.01.2021.

5. Accordingly, this contempt petition stands closed, giving liberty to the petitioner to challenge the order dated 08.01.2021, if so advised.

SD/-

ASSISTANT REGISTRAR(COMM.CASES)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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GS/26/04/2021