



IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 15TH DAY OF OCTOBER, 2024

PRESENT

THE HON'BLE MR JUSTICE R.DEVDAS

AND

THE HON'BLE MR JUSTICE G BASAVARAJA

CIVIL CONTEMPT PETITION NO. 200236 OF 2018

BETWEEN:

SRI. RAJENDRA S/O NAIK GAIKAWAD
C/O SMT.S.R.GAIKAWAD,
H.NO.64, MIG 2B, KHB COLONY, OLD JEWARGI ROAD,
KOTNOOR D, KABURGI – 585102.

...COMPLAINANT

(BY SRI. RAJENDRA NAIK GAIKWAD, (PARTY-IN-PERSON))

AND:

1. SRI HEMAJI NAIK IAS,
THE MANAGING DIRECTOR, KFCSC LTD.
NO.16/1, IVTH FLOOR, MILLERS TANK BED AREA,
BEHIND DR.B.R. AMBEDKAR BHAVAN,
VASANT NAGAR, BANGALORE – 560052.
2. SRI. S.M. ANAND
THE BOARD OF DIRECTORS & OTEHRS KFCSC LTD.,
NO.16/1, MILLERS TANK BED AREA,
BEHIND DR.B.R. AMBEDKAR BHAVAN,
VASANT NAGAR, BANGALORE – 560052.

...ACCUSED

(BY SRI. RAVI B. PATIL, ADV., FOR R1)

Digitally signed
by RAMESH
MATHAPATI
Location: HIGH
COURT OF
KARNATAKA



THIS CCC FILED U/S 12 OF THE CONTEMPT OF COURT ACT 1971 READ WITH ARTICLE 215 OF THE CONSTITUTION OF INDIA, PRAYING TO 1) INITIATE CONTEMPT PROCEEDINGS AGAINST THE ACCUSED FOR NON COMPLIANCE OF THE ORDER PASSED BY THIS HONOURABLE HIGH COURT IN THE W.A. ORDER NO.10192/11 DATED 23RD FEBRUARY 2018. AND THE ORDERS PASSED THROUGH THE R.P.NO.200012/18 DATED 28TH OF AUGUST 2018, IN THE INTEREST OF JUSTICE AND EQUITY.

THIS CONTEMPT PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE R.DEVDAS
AND
HON'BLE MR JUSTICE G BASAVARAJA

ORAL ORDER

(PER: HON'BLE MR JUSTICE R.DEVDAS)

1. Learned counsel for the respondents points out to an affidavit dated 10.10.2024 which is filed before this Court on 14.10.2024 and submits that there is compliance of the directions issued by this Court. A copy of the same has been handed over to the petitioner – party in person.
2. The petitioner is before this Court complaining of non-compliance of the order dated 23.02.2018 passed in WA.No.10192/2011. It is stated in the affidavit filed at



the hands of the Additional Director (Vigilance and IT), Office of the Commissioner for Food and Civil Supplies and Consumer Affairs Department, and Managing Director of Karnataka Food and Civil Supplies Corporation, that the order passed by this Court was taken up before the Apex Court in SLP No.2866/2019. Initially there was an order of stay passed by the Apex Court. However, subsequently, the SLP was dismissed on 02.01.2024. Therefore, the Competent Authority has passed an order on 07.10.2024 which has been annexed to the affidavit. While taking this Court through the said order dated 07.10.2024, learned counsel for the respondents submits that subsequent to the order passed by this Court on 23.10.2018, the petitioner herein attained the age of superannuation on 30.06.2021. Therefore, all the financial benefits that are required to be given to the petitioner, will be given in terms of the orders passed by this Court.

3. We have gone through the affidavit filed at the hands of Additional Director (Vigilance and IT), Office of the



Commissioner for Food and Civil Supplies and Consumer Affairs Department, and Managing Director of Karnataka Food and Civil Supplies Corporation. We are satisfied that subsequent to the orders passed by the Hon'ble Supreme Court, dismissing the SLP, formally an order has been passed by the Competent Authority reinstating the petitioner into service in terms of the orders passed by this Court. However, since the petitioner has attained the age of superannuation on 30.06.2021, notionally the petitioner is taken to have joined services immediately after the orders passed by this Court. All the financial benefits shall be fixed in terms of the order dated 07.10.2024 and the financial benefits shall be granted to the petitioner as expeditiously as possible and at any rate within a period of eight weeks from the date of receipt of a copy of this order.



4. Ordered accordingly.
5. The Contempt Petition is accordingly closed.

Sd/-
(R.DEVDAS)
JUDGE

Sd/-
(G BASAVARAJA)
JUDGE

DHA
List No.: 1 Sl No.: 13
CT: PS