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Cont.Ptn.No.2403 of 2023

Sub.Applw.(OS).No.541 of 2024
in
Cont.Ptn.No.2403 of 2023

M.DHANDAPANI, J.

The present Sub-application has been filed by the petitioner seeking to reopen the Contempt petition No.2403 of 2023.

2. Learned counsel for the petitioner submitted that, though, this court, vide order dated 03.11.2023 closed the above contempt petition by recording the submission of the learned counsel for the respondent/ contemnor that the order under contempt has been complied with, however, it is not so, and till date the order under contempt has not been complied with by the respondent and till date, the respondent bank has not sanctioned educational loan to the petitioner's son.

3. Per contra, the learned counsel appearing for the respondent submitted that, pursuant to the order of this Court dated 10.04.2023, the respondent, after duly considering the representation of the petitioner, vide communication dated 25.10.2023 directed the petitioner to comply with certain requirements and thereafter approach the respondent for sanction of loan by passing an order. However, the petitioner had not complied with the same and come back to the respondent. On the aforesaid fact, this Court, vide



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order dated 03.11.2023 closed the contempt petition filed by the petitioner.

The petitioner having not complied with the requirements pointed out by the respondent, cannot under the guise of non-compliance, seek to reopen the contempt petition.

4. Though it is claimed by the learned counsel for the petitioner that, the order under contempt has not been complied with, in order to prove the same, no material document has been produced before this Court.

5. In view of the above, the petitioner not having complied with the requirements and not placed any materials to substantiate that the order of this Court has not been complied with, the contempt petition was rightly closed and, therefore, there is no necessity to reopen the contempt petition.

6. Accordingly, this Sub-Application stands closed.

05.07.2024

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