

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
(Special Original Jurisdiction)

APHC010384102023

[3209]

FRIDAY ,THE TWENTY THIRD DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR
PRESENT

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

CONTEMPT CASE NO: 4301 OF 2023

Between:

M/s.Sri Lakshmi Narasimha Traders,

...PETITIONER(S)

AND

SRI KANTILAL DANDE I A S AND OTHERS

...CONTEMNOR(S)

Counsel for the Petitioner(s): SRI. CHALLA GUNARANJAN

Counsel for the Respondents: T N M RANGA RAO

The Court made the following:

Heard learned counsel for the petitioner, Mr.C.Sumon, learned Government Pleader for Finance and Planning for respondent No.3.

2. Also heard Mr.T.N.M.Ranga Rao, learned Government Pleader for respondent Nos.1 and 6 and Mr.P.V.V.Satya Narayana, learned Government Pleader for respondent No.4.

3. At the time of considering the matter, learned counsel for the petitioner on instructions submitted that basing on the orders passed in the writ petition, the respondents have paid an amount of Rs. 13,47,51,462/- as against Rs. 14,00,00,000/- directed to be paid. He submits that there is a difference of amount of about Rs.52,48,538/-. He submits that in view of the same, there is non-compliance of the

order. The learned counsel also points that insofar as the direction Nos.3 and 4 are concerned, the 4th respondent had not taken any action for constituting the committee and in fact as elaborated in the reply-affidavit that even assuming without admitting that a committee has been constituted on 15.11.2022, the time line for submitting a report was also expired. He submits that as there is substantial non-compliance of the above said direction Nos.3 and 4, the 4th respondent is liable for punishment under the provisions of Contempt of Court Act.

4. This Court on consideration of the matter in its entirety is of the opinion that though there is a delay on the part of the 4th respondent in complying with the direction Nos.3 and 4, keeping in view that the issue pertains to verification of supply of shoes and other related matters and since the delay if any on the part of the 4th respondent in completing the action may be attributable to reasons which cannot be viewed as willful, is not in agreement with the contentions advanced by the learned counsel for the petitioner. The action on the part of the 4th respondent would not amount to willful disobedience, no proceedings under the Contempt of Court Act need be continued.

5. Therefore, the Contempt Case is closed. However, the petitioner is at liberty to seek recourse to law with regard to balance amounts in respect of the supplies made by the petitioner.

There shall be no order as to costs. As a sequel, miscellaneous applications pending, if any, shall stand closed.

Date: 23.02.2024
RKS / GVK

JUSTICE NINALA JAYASURYA