

(2013) 01 KAR CK 0010

In the Karnataka High Court

Case No : Contempt of Court Case (Civil) No. 1464 of 2012

Sri B.H. Ramakrishna

APPELLANT

Vs

Sri Ravi M. Tirlapur

RESPONDENT

Date of Decision : 02-01-2013

Acts Referred:

Citation : (2013) 2 KCCR 1455

Hon'ble Judges : D.V. Shylendra Kumar, J;B. Manohar, J

Bench : Division Bench

Advocate : Ashok for K. Shreedhar, for the Appellant;

Final Decision : Dismissed

Judgement

D.V. Shylendra Kumar, J.—Complainant was the petitioner in W.P. No. 24560/2012 (S-RES), who had approached this Court with the grievance that in spite of certain recommendations made in his favour by the Deputy Commissioner, the Tahsildar was not acting and therefore, directions should be issued to the Tahsildar to act in accordance with law. Recommendations made by the Deputy Commissioner pursuant to certain representations made by the writ petitioner seeking to pay his unpaid salary, if any, for the period when he had worked as a Village Assistant. This Court disposed of the writ petition directing the Tahsildar to dispose of the representation of the petitioner in terms of the recommendation if any, already made by the Deputy Commissioner, Ramanagar District, Ramanagar, within one month from the date of receipt of the order. The present contempt petition is on the premise that the Tahsildar is still inactive in spite of orders passed by this Court and a direction be issued by this Court.

2. Mr. Ashok, learned Counsel appearing for the complainant submits that notice should be issued to the accused - person and that he will promptly comply, as otherwise, he is dragging his feet.

3. We find that the recommendation was only by the Deputy Commissioner to the Tahsildar, his subordinate, moreover, the order indicating if any

recommendation is already made by the Deputy Commissioner, then the Tahsildar to consider the representation of the petitioner in the writ petition and to pass orders etc. In this state of affairs, while we are not inclined to exercise contempt jurisdiction, it is necessary for the Deputy Commissioner to ensure that if he has issued directions to his subordinate, the Tahsildar, to implement and not disregard his recommendation, if he has already made. It is open to the complainant to pursue the matter as indicated above, but this contempt petition is dismissed.