



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

[3329]

**TUESDAY, THE SIXTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

CONTEMPT CASE NO: 1783/2025

Between:

Dr. Iqbal Hyder

...PETITIONER

AND

Gopal Krishna Dwivedi and Others

...CONTEMNOR(S)

Counsel for the Petitioner:

1. PARTY IN PERSON

Counsel for the Contemnor(S):

1.

The Court made the following ORDER:

I.A.No.2 of 2025

Heard the party in person.

The petitioner filed this interlocutory application No.2 of 2025 seeking for an interim direction to restrain the 2nd respondent from proceeding with the promotions pending disposal of the contempt petition.

This Court, vide order dated 13.07.2023 in W.P. No.14878 of 2021, specifically directed the respondents herein as under:

“The writ petition is allowed. The respondent University shall assess the suitability of the petitioner to promote him as associate professor (Stage-II) by duly taking note of ad hoc service rendered by him prior to his regular appointment and if found suitable shall grant all consequential benefits including arrears of amounts due and payable”.

The petitioner further submits that, even though this Court, vide order dated 13.07.2023 in W.P. No.14878 of 2021, specifically directed the respondents, particularly the 2nd respondent, without complying with the same, is proceeding to give effect to terms contrary to the order of this Court.

(i) The petitioner relied on judgment in the ***High court of Andhra Pradesh at Hyderabad Mohammed Imthiazuddin and another vs. Balaveera Raghavaiah¹ in C.A.No.10 of 1995 dated 21.12.1995***, wherein it was held that:-

“The first contention, in our opinion is totally misconceived. The contempt proceedings are not criminal proceedings, but are summary proceedings and the High court can evolve its own procedure. The power of the court of record under article 215 of the constitution of India is not limited to imposing punishment upon the contemnor but the main purpose of this power of the court is to see that the order of the court is given effects to. It appears from the above, that the appellant has been found to have violated the injunction order and the learned single judge has made orders in the proceedings for contempt to restore status quo ante. Learned single judge is perfectly justified in making the impugned order.

(6) the purpose for which construction has been made in violation of the order of the court can hardly justify the disobedience. We are not in

¹ 1995 SCC Online AP 693

a position to accept the statement at the bar that violative constructions were made before the injunction order was issued.

(7) in *Vidya charan shukla v. Tamil Nadu Olympic Association*²

a full bench of the Madras High court, to which one of us (P.S Mishra, J. as I then was) was a member, it has been clearly laid down that the power of the court of record to pass order for restoration of status quo ante is available not only in a civil contempt but a criminal contempt as well. The full bench has held that in cases of violation of or disobedience to orders of the court, the court can grant temporary mandatory injunction pending a contempt petition or independent of it and pending a decision on the desirability of issuing a temporary mandatory injunction and restoration of status quo nature the court can pass such orders or give such directions of interim nature for restoration of status quo ante or to ensure that until issue of that grant of mandatory injunction and restoration of status quo ante, no injury is caused”.

(ii) The petitioner also relied on the Judgment rendered by this Court in ***Kanedena Veeraiah and other petitioners vs. Narra Venkateswarlu and others***, wherein it was held that:

“The court, however, has power to restrain by injunction threatened contempts. It is competent for the court where a contempt is threatened or has been committed and on an application to commit to take the lenient course of granting an injunction instead of making an order for committal or sequestration whether the offender is a party to the proceedings or not”.

(iii) In ***Halsbury’s Laws of England*** (Fourth Edition, Vol.9, Chapter on Civil Contempt, para 104), it is further stated:

“The court may in its own discretion, grant an injunction, in lieu of committal or sequestration to restrain the commission or repetition of a civil contempt. The court may in lieu of any other penalty require the contemnor to pay the costs of the motion on a common fund basis.

² AIR 1991 Madras 323,

In a doubtful case, the court may instead of proceedings for contempt, grant an order requiring the defendant to state whether he has complied with an undertaking.

If an order of mandamus, a mandatory order, injunction or judgment or order for the specific performance of a contract is not complied with, the court may besides or instead of proceedings for contempt direct the act to be done by some person appointed for that purpose.

From this passage also it becomes clear that the court can by way of relief give certain other directions also in a contempt application with a view to help the administration of justice”.

(v) From this passage, it becomes clear that the Court, in a contempt application, can by way of relief issue certain directions to aid the administration of justice. The said principle was also reiterated in **High court of Judicature, Andhra Pradesh at Hyderabad between Smt. G. Kalavathi vs. C. Anand Rau**³ (per N.Y. Hanumanthappa, J.), wherein it was held that:

(34) in Halsbury’s Laws of England (Fourth Edition, Volume 9) Chapter ‘Civil Contempt’ a passage in para 104 dealing with the subject of other remedies read thus:

The court may, in its own discretion grant an injunction, in lieu of committal or sequestration, to restrain the commission or repetition of a civil contempt. The court may in lieu of any other penalty require the contemnor to pay the costs of the motion on a common fund basis.

(35) in a doubtful case, the court may instead of proceeding for contempt grant an order requiring the defendant to state whether he has complied with an undertaking.

(37) from this passage it becomes clear that court can by way of relief give certain other directions also in a contempt application with a view to help the administration of justice.

³ 2001 (1) A.P.L.J.87(HC)

(vi) The petitioner further relied on the Judgment of the **High Court of Telangana at Hyderabad in V. Chakradagar Reddy and others vs. G. Raveen Kumar and others**⁴, wherein it was held:

(7) Per contra, the learned counsel appearing for the respondents has vehemently argued that the appellants herein, in gross violation of the orders of the learned Single Judge passed in W.P.No.23305 of 2016 are illegally continuing with the business activities in the premises in question. In spite of the directions were given by the learned single judge earlier to take action, the official respondents are not action on the same. Hence left with no other alternate remedy, they were constrained to file the contempt case. The direction issued by the learned single judge is not only legally sustainable, but the same is also within the jurisdiction of the high court. In view of the rule 27 of the A.P.High court rules to regulate proceedings for contempt of subordinate courts and of the high court under the contempt of courts act, 1971, this Hon'ble High court is having ample jurisdiction to pass any order in the contempt case. Hence the learned counsel sought for dismissal of the L.P.A filed by the appellants herein.

10. Though there is no quarrel or dispute with regard to the propositions of law laid by the Hon'ble Supreme Court in the decisions relied by the learned counsel for the appellants. But these decisions do not deal with the rule specific to the state of Andhra Pradesh (now telangana) i.e., rule 27 of the A.P.High court rules to regulate proceedings for contempt of subordinate courts and of the high court under the contempt of courts act, 1971, which reads as follows:-

The court may pass such order as the justice of the case requires.

Considering the ratio laid down by this Hon'ble Court and Rule 27 of the Contempt of Courts Rules, 1980, it is clear that the Court is empowered to pass any order necessary to meet the ends of justice.

In view of the above, there shall be status quo shall be maintained by both parties pursuant to the proceedings No.471581/Ser.I/2024 dated 23.11.2024 and 06.12.2024 issued by the 2nd respondent.

VENKATESWARLU NIMMAGADDA, J

⁴ 2020 SCC Online TS 274

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The petitioner is directed to take steps to file the correct address in respect of the respondent No.1 for issuance of the notice before the Registry.

Await notice for the respondent Nos. 2 and 3.

Post the matter on 15.10.2025.

VENKATESWARLU NIMMAGADDA, J

16.09.2025

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HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION No.24638 of 2025

12.09.2025

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