

HIGH COURT FOR THE STATE OF TELANGANA**MAIN CASE No: Contempt Appeal No.4 of 2025****PROCEEDING SHEET**

S. No.	DATE	ORDER	OFFICE NOTE
01.	28.03.2025	<u>PSK, J & NNR, J</u> Mr.R. Anurag, learned counsel for the appellant / petitioner <u>Interlocutory Application No.1 of 2025</u> <u>in</u> <u>Contempt Appeal No.4 of 2025</u> The 'dispense with' petition is ordered. <u>Interlocutory Application No.2 of 2025</u> <u>in</u> <u>Contempt Appeal No.4 of 2025</u> (Lunch Motion) Heard Mr. R. Anurag, learned counsel for the appellant. The instant application is filed by the appellant under Section 151 of Civil Procedure Code, 1908 praying the Court to stay all further proceedings arising out of the order dated 27.03.2025 in C.C.No.2752 of 2024 passed by a learned Single Judge of this Court. Upon a 'Lunch Motion' being moved by the learned counsel for the appellant / petitioner, the instant case is taken up for hearing at 02:15 P.M. Perusal of the record would show that a decree in a Civil Suit, viz., O.S.No.1025 of 2012, dated 24.06.2020, was passed by the XI Additional	

		District and Sessions Judge, Ranga Reddy District, at L.B. Nagar, decreeing the suit in favour of the plaintiff (respondent herein) directing the defendant No.1 therein to pay an amount of Rs.39,60,000/- to the plaintiff with interest thereon at 12% p.a. from the date of suit till the date of decree, and with a further interest at 6% p.a. from the date of decree till the date of realization. Pending suit, the respondent (plaintiff) preferred appeal before this Court viz., A.S.No.209 of 2020 praying the Court to order for attachment before judgment against the immovable properties shown in the A, B, C, D, E and F schedule thereunder for realization of suit amount of Rs.39,60,000/-, pending disposal of the suit. <i>Vide</i> order dated 02.02.2021 passed in I.A.No.1 of 2020, a learned Division Bench of this Court was pleased to continue the order of attachment as was passed by the Trial Court until further orders. The said order was not complied with by the appellant / respondent. Dissatisfied, the respondent (plaintiff) filed Contempt Case before this Court, viz., Contempt Case No.2243 of 2023 on 28.04.2023, under Sections 10 to 12 and 14 of Contempt of Courts Act, 1971 praying the Court to punish the appellant / petitioner herein personally for willfully violating the order dated 02.04.2013 in I.A.no.3259 of 2012 in	
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		O.S.No.1025 of 2012 passed by the II Additional District & Sessions Judge, Ranga Reddy District, at L.B. Nagar, Hyderabad. <i>Vide</i> order dated 20.08.2024 passed in Contempt Case No.2243 of 2023, a learned Single Judge of this Court, after hearing the matter, disposed of the contempt case with a direction to the appellant / respondent to deposit the decretal amount along with interest either before the Trial Court or the First Appellate Court; and after dismissal of the above appeal, if at all the respondent / plaintiff is entitled for the said amount, the respondent / plaintiff is at liberty to withdraw the entire amount or else it can be returned to the appellant / petitioner. Though the above order was passed on 20.08.2024, till date the same has not been complied with by the appellant / petitioner herein. In the interregnum, a second contempt case, viz., Contempt Case No.2752 of 2024, was filed by the respondent / plaintiff herein under Section 12 of the Contempt of Courts Act, 1971. <i>Vide</i> order dated 27.03.2025, passed in Contempt Case No.2752 of 2024, a learned Single Judge of this Court ordered for punishing the appellant / petitioner by sentencing her to undergo imprisonment for a period of three months. Aggrieved, the instant contempt appeal has been filed by the appellant / respondent.	
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		Learned counsel for the appellant / petitioner has expressed inability to honour the decreetal amount on account of financial constraints that the appellant / petitioner is now facing. However, he offered for payment of security against the said amount subject to the outcome of the appeal. We are not convinced with the submissions made by the learned counsel for the appellant / petitioner. Nonetheless, considering the entire facts and circumstances of the case, and as an interim measure, subject to the appellant / petitioner herein paying 50% of the decreetal amount within a period of six (06) weeks from to-day, the effect and operation of the order passed by the learned Single Judge in Contempt Case No.2752 of 2024, dated 27.03.2025, shall remain stayed until the next date of hearing. We make it clear that in the event of default on the part of the appellant / petitioner in dishonouring the payment of 50% of the decreetal amount, the above interim protection granted by this Court would automatically lose its efficacy and the order passed by the learned Single Judge in Contempt Case No.2752 of 2024, dated 27.03.2025, would automatically come into force. Accordingly, this application is ordered as above.	
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