

IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION

CONTEMPT PETITION (C) NO.144 OF 2006
IN
CIVIL APPEAL NOS.3492-3494 OF 2005

DAKSHINAMURTHY

... PETITIONER

VS.

B.K. DAS, I.A.S. & ORS.

... RESPONDENT(S)/
ALLEGED CONTEMNOR(S)

WITH

CONTEMPT PETITION (C)NO.96/2007 IN C.A.NOS.3492-3494/2005
& CONTEMPT PETITION (C).....D.NO.26236/2008 IN C.A.NOS.
3492-3494/2005

O R D E R

The matters relate to the implementation of the Bangalore-Mysore Infrastructure Corridor Project in terms of the judgment of this Court dated 20th April, 2006 passed in C.A.Nos.3492-3494/2005 (State of Karnataka & Anr. Vs. All India Manufacturers Organisation and Ors.).

Paragraphs 22, 62 and 82 of the said judgment, in respect of which disobedience has been alleged, may be usefully extracted below to understand the grievances raised in the contempt petitions :

A perusal of the aforesaid paragraphs of the judgment of this Court would indicate that the directions of the Court are to the effect that the project, as conceived originally, be executed and the FWA be implemented in letter and spirit while executing the said project. Alleging that the clear terms of the FWA have not been adhered to and various dilatory non-justified projections have been made, the instant contempt petitions have been filed.

We have heard learned counsel for the parties.

We have considered the matters and also the short note circulated on behalf of the respondents with regard to the contents of the various affidavits filed by them. The said note has been placed before the Court at the request of the Court made yesterday.

Having considered the judgment of this Court and the terms thereof and what has been stated by the respondents in the affidavits filed, it appears to us that the parties are in dispute with regard to the terms of the FWA. In respect of some of such disputes, writ petitions has been filed before the Karnataka High Court, which matters are presently pending. If the parties are in dispute with regard to the terms and implications of the different clauses of the FWA and the reciprocal rights and duties of the parties thereunder, it cannot be held that the respondents are guilty of willful disobedience which satisfaction the Court has to record before reaching a

conclusion that contempt of this Court has been committed.

In the aforesaid circumstances, we find no good ground to continue the contempt proceedings. The contempt petitions are dismissed.

.....CJI.
[RANJAN GOGOI]

.....J.
[DEEPAK GUPTA]

.....J.
[ANIRUDDHA BOSE]

New Delhi;
18th July, 2019.

ITEM NO.101

COURT NO.1

SECTION IV-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CONTEMPT PETITION (C)NO.144/2006 IN C.A.NOS.3492-3494/2005

DAKSHINAMURTHY

Petitioner(s)

VERSUS

B.K.DAS, I.A.S. & ORS.

Respondent(s)

WITH

CONMT.PET.(C)NO.96/2007 In C.A.NOS.3492-3494/2005 (IV-A)

SLP(C) NO.11829/2008 (IV-A)

CONMT.PET.(C)..... D.NO.26236/2008 IN C.A.NOS.3492-3494/2005 (IV-A)

C.A.NOS.969-973/2013 (IV-A)

C.A.NOS.976-978/2013 (IV-A)

S.L.P.(C)...CC NOS.10129-10130/2014 (IV-A)

Date : 18-07-2019 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE DEEPAK GUPTA
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Petitioner(s) Mr. Neeraj Kishen Kaul, Sr. Adv.
Mr. Ramesh Singh, Adv.
Mr. K.T. Ananthraman, Adv.
Mr. Gururaj Deshpande, Adv.
Mr. Sharanagouda Patil, AOR
Ms. Monisha Handa, Adv.

Mr. Rana Mukherjee, Sr. Adv.
Ms. B. Vijayalakshmi Menon, AOR
Ms. Anuradha Dutt, Adv.
Ms. Fereshte D. Sethna, Adv.
Ms. Atishree Sood, Adv.
Mr. Kunal Dutt, Adv.

Mr. Prashant Bhushan, Adv.
Ms. B. Vijayalakshmi Menon, AOR
Ms. Anuradha Dutt, Adv.

Ms. Fereshte D. Sethna, Adv.
 Ms. Atishree Sood, Adv.
 Mr. Kunal Dutt, Adv.

Mr. Abhay Kumar, AOR
 Mr. Vineet Kumar Singh, Adv.
 Mr. Saurabh Mishra, Adv.
 Mr. Mohit D. Ram, AOR

for M/s. S-legal Associates, AOR
 for M/s. Lawyer's Knit & Co., AOR

For Respondent(s) Mr. Chander Uday Singh, Sr. Adv.
 Mr. Sanjay R. Hegde, Sr. Adv.
 Ms. Anitha Shenoy, Sr. Adv.
 Mr. Joseph Aristotle S., AOR
 Ms. Shruti Chaganti, Adv.
 Ms. Priya Aristotle, Adv.
 Mr. Rijuk Sarkar, Adv.

Ms. Kiran Suri, Sr. Adv.
 Mr. S.J. Amith, Sr. Adv.
 Dr. (Mrs.) Vipin Gupta, AOR

Mr. E.C. Vidya Sagar, AOR
 Mr. Subash Chanda Sagar, Adv.

Mr. Vasudevan Raghavan, AOR
 Mr. V.N. Raghupathy, AOR
 Ms. Suman Yadav, AOR

UPON hearing the counsel the Court made the following
 O R D E R

Contempt Petition (C) No.144/2006, Contempt Petition (C) No.96/2006 and Contempt Petition (C).....D.No. 26236/2008 In C.A.Nos.3492-3494/2005 :

The contempt petitions are dismissed in terms of the signed order.

Rest of the matters :

List in the second week of August, 2019.

(Anand Prakash)
 Branch Officer

(Sarita Purohit)
 AR-cum-PS

(Signed order in 3 contempt petitions is placed on the file)