

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 04TH DAY OF OCTOBER 2021

PRESENT

THE HON'BLE MR. JUSTICE ALOK ARADHE

AND

THE HON'BLE MR. JUSTICE HEMANT CHANDANGOUDAR

C.C.C. NO.385 OF 2021

BETWEEN:

SMT.VANITHA L,
WIFE OF SRI B.V.JAGADEESH,
AGED ABOUT 39 YEARS,
RESIDING AT NO.1644/A-1,
ASHRAY, 1ST CROSS,
'A' BLOCK, SS LAYOUT,
DAVANAGERE - 577006.

...COMPLAINANT

(BY SRI SANTHOSH S GOGI, ADVOCATE)

AND:

SRI B.T.KUMARASWAMY,
THE COMMISSIONER
DAVANAGERE AND HARIHARA
URBAN DEVELOPMENT AUTHORITY,
DEVARAJ ARASU LAYOUT,
'A' BLOCK, PB ROAD,
DAVANAGERE - 577006

...ACCUSED

(BY SRI R.L.N.MURTHY, ADVOCATE)

THIS C.C.C. IS FILED UNDER ARTICLE 215 OF THE CONSTITUTION OF INDIA, R/W SECTIONS 11 AND 12 OF THE CONTEMPT OF COURTS ACT, 1971, BY THE COMPLAINANT, WHEREIN SHE PRAYS THAT THE HON'BLE HIGH COURT MAY BE PLEASED TO INITIATE CONTEMPT OF COURT PROCEEDINGS AGAINST THE ACCUSED AND PUNISH HIM FOR HAVING DELIBERATELY VIOLATED THE DIRECTIONS ISSUED BY THE LEARNED SINGLE JUDGE, PASSED IN WP NO.337/2021 BY ORDER DATED 23.03.2021 (AMENDED/CORRECTED AS PER ORDER DATED 08.04.2021).

THIS C.C.C. COMING ON FOR ORDERS THIS DAY,
ALOK ARADHE J., MADE THE FOLLOWING:

ORDER

Mr. Santhosh S. Gogi, learned counsel for the complainant.

Mr. R.L.N. Murthy, learned counsel for the accused.

This petition has been filed alleging non-compliance of the direction contained in the order dated 23.3.2021 passed by the learned single Judge in W.P.No.337/2021.

2. When the matter was taken up today, the learned counsel for the respondent submits that in compliance of the aforesaid direction, single layout plan has been sanctioned by the respondent on 1.10.2021 subject to the result of the review petition which is pending.

3. In view of the aforesaid submission, the learned counsel for the complainant submitted that since the layout plan has been approved subject to result of the review petition which is pending, the Hindustan Petroleum Corporation Limited shall not give any allotment to the complainant.

4. Be that as it may, in this contempt proceedings, the direction issued by this Court has been complied.

5. We are satisfied that the direction contained in the order dated 23.3.2021 has been complied with as the single layout plan has been approved.

6. However, it will be open for the complainant to raise such contention as made available to him in law.

7. With the aforesaid liberty, the contempt proceedings is dropped.

**Sd/-
JUDGE**

**Sd/-
JUDGE**

HR