

L.V. Subhramanyam v. Registrar General. (2024-1)213 PLR 082 (SC)

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SUPREME COURT OF INDIA

Present : Justice B.R. Gavai , Justice Sudhanshu Dhulia , Justice Sandeep Mehta

SRI L.V. SUBRAHMANYAM, IAS, PRINCIPAL SECRETARY, MEDICAL AND HEALTH DEPARTMENT, GOVERNMENT OF ANDHRA PRADESH – Appellants

Versus

THE REGISTRAR GENERAL, HIGH COURT OF JUDICATURE AT HYDERABAD, FOR THE STATE OF TELANGANA AND FOR THE STATE OF ANDHRA PRADESH & Anr. – Respondents.

Civil Appeal Nos. 1644-1645/2024 @ SLP(C) Nos. 25880-25881/2015 with

civil appeal no. 1646/2024 @ SLP(C) No. 34866/2015

Contempt of Courts Act, 1971 (70 of 1971) - Mere delay in complying with the order, unless there is a deliberate or wilful act on the part of the alleged contemnors would not attract the provisions of Contempt of Courts Act.

Delay in compliance of order – High Court observed that in the absence of any explanation for the delay, it would amount to wilful and deliberate violation of the order of the Court – *Held*, proceedings under the Contempt of Courts Act are quasi judicial in nature and therefore as the Court comes to a conclusion that the act was neither deliberate or wilful, it could not have convicted the appellants for Contempt of Courts Act.

ORDER

(05.02.2024) – Leave granted.

2. These petitions challenge orders dated 14.08.2015 and 12.08.2015 by which the learned Division Bench of the High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh, after convicting the appellants herein imposed a fine of Rs.500/-.

3. A perusal of the order itself would reveal that the High Court has come to a conclusion that though the order of which contempt was alleged was complied with but there was a delay in compliance of the same.

4. The High Court in the order observed that in the absence of any explanation for the delay, it would amount to wilful and deliberate violation of the order of the Court.

5. We are of the view that mere delay in complying with the order, unless there is a deliberate or wilful act on the part of the alleged contemnors would not attract the

provisions of Contempt of Courts Act. The proceedings under the Contempt of Courts Act are quasi judicial in nature and therefore as the Court comes to a conclusion that the act was neither deliberate or wilful, it could not have convicted the appellants for Contempt of Courts Act.

6. In the result, the appeals are allowed and the impugned orders are quashed and set aside.

7. Pending application(s), if any, shall stand disposed of.

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