

SUPREME COURT OF INDIA

K.L. Arora

Vs.

S.S. Prasad

(G Pattanaik and N S Hegde JJ.)

23.09.1999

ORDER

1. This Contempt Petition has been filed on the allegation that the order of this Court dated 4.12.1996, directing payment of compensation has not been complied with. Pursuant to the notice issued by this Court, a showcase has been filed clearly indicating therein that the applicant is facing a departmental proceeding on the allegation of misappropriation of huge funds of the Company and until and unless that departmental proceeding is concluded, question of making any payment pursuant to the order of this Court would not arise. In view of the stand taken by the Management in the show cause filed, we see no justification for initiating a contempt proceeding, as in our view the non-payment of the alleged due is not on account of any deliberate violation of the Court's orders, but on account of the pendency of a departmental proceeding.

2. The Contempt Petition is accordingly dismissed.