

**CONTEMPT APPEAL No.4 of 2021**

**JUDGMENT:** (Per the Hon'ble the Chief Justice Hima Kohli)

1. On the last date of hearing *i.e.*, 01.04.2021, this court had perused the averments made in the present appeal, which is directed against an order dated 20.01.2021 passed by the learned Single Judge in C.C.No.837 of 2020 holding the appellant guilty of contempt of court in view of disobedience of the order dated 24.08.2020 passed in W.P.No.13580 of 2020.

2. Noting that there was no explanation offered in the appeal for the delay on the part of the appellant in acting on the representation dated 27.08.2020 made by the respondent up to 27.11.2020, this court has expressed its reservations on entertaining the appeal. Another aspect that was highlighted in the previous order was that the appellant had unilaterally imposed additional conditions on the respondent for release of the vehicle in question that did not have the sanction of the court. As learned Additional Advocate General had stated that he be given an opportunity to file an additional affidavit to explain the aforesaid aspects, the matter was adjourned for today.

3. An Additional affidavit has been filed by the appellant. It is conceded in the affidavit that no steps were taken by the appellant between 28.08.2020 to 27.11.2020 to comply with the directions issued by the court on 24.08.2020. The appellant further tenders an unqualified

apology for noncompliance of the order passed by the learned Single Judge and assures the court that he shall be more cautious in future.

4. Though the name of learned counsel for the respondent has been reflected in the cause list, none is present on behalf of the respondent. Same was the position on the last date of hearing.

5. Learned Additional Advocate General states that he has served an advance copy of the additional affidavit on learned counsel for the respondent and intimated him about today's date of hearing.

6. The explanation offered in the additional affidavit and the unqualified apology tendered by the appellant is accepted. The fine imposed on the appellant in the impugned order dated 20.01.2021 in C.C.No.837 of 2020 is waived, subject to the condition that it being the month of Ramzan, he feeds at least twenty (20) people, who he finds have gathered outside any mosque in his neighbourhood to break the fast during the Iftar period, on a daily basis for a period of one week. The appellant shall file an affidavit of compliance within one week thereafter. In the event the said affidavit is not filed, the Registry shall place the matter back before this court for appropriate orders.

7. The present appeal is, accordingly, disposed of along with the pending applications, if any.

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**HIMA KOHLI, CJ**

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**B. VIJAYSEN REDDY, J**

16.04.2021

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