

IN THE HIGH COURT AT [REDACTED] APPELLATE SIDE COURT NO. [REDACTED]

Date: [REDACTED DATE] Item Nos. [REDACTED]

CPAN [REDACTED] In MAT [REDACTED] [PETITIONER X] Vs. [RESPONDENT Y], [REDACTED GOVERNMENT DEPARTMENT] With RVW [REDACTED] With CAN 1 of [REDACTED] With CAN 2 of [REDACTED] [RESPONDENT Y], [REDACTED GOVERNMENT DEPARTMENT] Vs. [PETITIONER X] and Ors.

For the Contempt Applicant : [REDACTED] For the Review Applicant : [REDACTED] For the Finance Department : [REDACTED] For the Municipality : [REDACTED]

Re.: CAN 1 of [REDACTED] 1. CAN 1 is an application for condonation of delay of 30 days in filing the review application.

2. Although the Court is not satisfied with the explanation offered for the delay, for the ends of justice the delay is condoned.

3. Accordingly, CAN 1 is allowed.

Re.: RVW [REDACTED] With CAN 2 of [REDACTED] 4. Review is sought of this Court's earlier order on the ground that the Municipality did not obtain prior approval under the applicable statute before issuance of work orders and completion certificates.

5. It is argued that the Municipality should make payment out of its own fund since it collects taxes from residents within its jurisdiction.

6. The construction work in question involved roads, hostels, and other municipal buildings for the benefit of citizens, under schemes sponsored by the State Government. The State is obliged to provide funds under relevant provisions of the statute.

7. The issue of prior approval has already been dealt with in the earlier judgment. The relationship between the Municipality and the State cannot deprive a contractor of payment for work duly completed.

8. The State itself has conducted an enquiry. It may take steps against the Municipality and/or its officials as advised.

9. The Court finds that the grounds for review are untenable in law.

10. Accordingly, the review application and connected application (CAN 2) are dismissed.

Re.: CPAN [REDACTED] In MAT [REDACTED] 11. Counsel for the contemnor has stated that the matter has been placed before the Finance Department for release of funds, which is likely by [REDACTED DATE]. Delay has occurred due to intervening holidays.

12. The Court finds that the concerned officials are prima facie in contempt of this Court's earlier order directing release of funds within seven days.

13. A Rule is issued upon the Principal Secretaries of the concerned Departments. The Rule is made returnable on [REDACTED DATE].

14. The alleged contemnors shall virtually present before the Court on the adjourned date. They may also be represented by counsel. Rule is drawn in a separate sheet.

15. The applicant shall put in requisites for the aforesaid purpose within two days.

16. All parties shall act on a server copy of this order downloaded from the Court's official website.

([REDACTED], J.) ([REDACTED], J.)