

**IN THE HIGH COURT OF JUDICATURE: ANDHRA PRADESH: AT  
HYDERABAD**

**FRIDAY THE NINTH DAY OF JANUARY  
TWO THOUSAND AND FOUR  
PRESENT**

**THE HON'BLE MR.JUSTICE: GOPALA KRISHNA TAMADA**

**CONTEMPT CASE Nos. 182 to 185 of 2002, 1619 of 2001, 363 of 2002,  
19 of 2003, 295 of 2003, 296 of 2003, 444 of 2002, 490 of 2002,  
547 of  
2003 and 681 of 2003.**

**C.C.No.182 of 2002**

(Contempt Case under Sections 10 to 12 of the contempt of Courts Act to  
punish the respondents for committing contempt of this Hon'ble Court by  
willfully disobeying the orders passed in W.P. No. 22122 of 1998 dated 06-  
07-1999)

Between:

1. Vanacharla Ramu
  2. Bathula Venkata Ramana Rao
  3. Keerthipati Narayana Raju
  4. Kancherla Jayaramakrishna
  5. Uppalapati Buchi Babu
  6. Thiyagarajan Sivakumar
  7. Bachala Narayana Swamy
  8. Subbaiah Ramaswamy Sundaramurthy
  9. Rudrala Venkata Krishna Rao
  10. Yeddula Venkata Pavan Kumar
  11. Arockiam Abraham.
- (All R/o. Proddutur, Cuddapah District)

Petitioners

AND

1. Sri Tek Chandani K. Chairman & MD, Cement Corporation of India Ltd.,  
Core –V, Scope Complex, 7 Lodhi, Road, New Delhi
  2. Sri A.K. Sinha, Director (Operations), Cement Corporation of India Ltd.,  
Core –V, Scope Complex, 7 Lodhi Road, New Delhi.
  3. The Secretary, Department of Heavy Industries, Udyog Bhavan, Udyog  
Bhavan, New Delhi.
- (Respondent No. 3 is impleaded as per party respondent vide Court  
order dated: 09-01-2004 in this Contempt Case)

Respondents

COUNSEL FOR THE PETITIONERS: Mr. M. Panduranga Rao,  
COUNSEL FOR THE RESPONDENTS 1 & 2: Mr. E. Manohar, on behalf  
of  
Mr. P. Nageswara Sree.

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**C.C. 183 of 2002**

(Contempt Case under Sections 10 to 12 of the contempt of Courts Act to punish the respondents for committing contempt of this Hon'ble Court by willfully disobeying the orders passed in W.P.No.19901 of 1998, dated 06-07-1999)

Between:

- 1. Maqsood Ahmed
  - 2. D. Yesaiah
  - 3. R.Balachandran
  - 4. Smt. P. Vindhaya Vani
- Petitioners

AND

- 1. Sri Tek Chandani K. Chairman and Managing Director, Cement Corporation of India Ltd., Core-V, Scope Complex, 7 Lodhi Road, New Delhi
  - 2. Sri A.K. Sinha, Director (Operations), Cement Corporation of India Ltd., Core –V, Scope Complex, 7 Lodhi Road, New Delhi.
  - 3. The Secretary, Department of Heavy Industries, Udyog Bhavan, Udyog Bhavan, New Delhi.
- (Respondent No. 3 is impleaded as per party respondent vide Court order dated: 09-01-2004 in this Contempt Case)

Respondents

COUNSEL FOR THE PETITIONERS: Mr. M. Panduranga Rao,  
COUNSEL FOR THE RESPONDENTS 1 & 2 : Mr. E. Manohar, on behalf  
of

Mr. P. Nageswara Sree.

**C.C.No. 184 of 2002**

(Contempt Case under Sections 10 to 12 of the contempt of Courts Act to punish the respondents for committing contempt of this Hon'ble Court by willfully disobeying the orders passed in W.P.No.23256 of 1998 dated 06-07-1999).

Between:

B. Linga Reddy Petitioner

AND

- 1. Sri Tek Chandani K. Chairman & MD, Cement Corporation of India Ltd., Core –V, Scope Complex, 7 Lodhi, Road, New Delhi
- 2. Sri A.K. Sinha, Director (Operations), Cement Corporation of India Ltd., Core

–V, Scope Complex ,7 Lodhi Road, New Delhi.

3. The Secretary, Department of Heavy Industries, Udyog Bhavan, Udyog Bhavan, New Delhi.  
(Respondent No. 3 is impleaded as per party respondent vide Court order dated: 09-01-2004 in this Contempt Case)

Respondents

COUNSEL FOR THE PETITIONERS: Mr. M. Panduranga Rao,  
COUNSEL FOR THE RESPONDENTS 1 & 2: Mr. E. Manohar, on behalf  
of  
Mr. P. Nageswara Sree.

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**C.C.No. 185 of 2002**

(Contempt Case under Sections 10 to 12 of Contempt of Courts Act to punish the respondents for committing contempt of this Hon'ble Court by willfully disobeying the orders passed in W.P.No.23257/98 dated 6-7-1999).

Between:

1. M. Ramana Murthy
  2. P.Mallikarjuna
- Petitioners

AND

1. Sri Tek Chandani K. Chairman & M.D., Cement Corporation of India Ltd., Core V, Scope Complex, 7 Lodhi Road, New Delhi
2. Sri A.K. Sinha, Director of (Operations), Cement Corporation of India Ltd., Core-V, Scope Complex, 7 Lodhi Road, New Delhi.
3. The Secretary, Department of Heavy Industries, Udyog Bhavan, Udyog Bhavan, New Delhi.  
(Respondent No. 3 is impleaded as per party respondent vide Court order dated: 09-01-2004 in this Contempt Case 182 & batch)

Respondents

COUNSEL FOR THE PETITIONERS: Mr. M. Panduranga Rao,  
COUNSEL FOR THE RESPONDENTS 1 & 2: Mr. E. Manohar, on behalf  
of  
Mr. P. Nageswara Sree.

**C.C.No. 1619 of 2001**

(Contempt Case under Sections 10 to 12 of Contempt of Courts Act, 1971 r/w/ section 15 of Contempt of Courts to punish the respondent for committing contempt of this Hon'ble Court by willfully disobeying the

orders passed in W.P.No.10228/98 dated 06-07-1999).

Between:

Amit Ranjan

Petitioner

AND

1. Sri Tek Chandani K. Chairman & M.D., Cement Corporation of India Ltd., Core V, Scope Complex, 7 Lodhi Road, New Delhi
2. Sri A.K. Sinha, Director of (Operations), Cement Corporation of India Ltd., Core-V, Scope Complex, 7 Lodhi Road, New Delhi.
3. The Secretary, Department of Heavy Industries, Udyog Bhavan, Udyog Bhavan, New Delhi.  
(Respondent No. 3 is impleaded as per party respondent vide Court order dated: 09-01-2004 in this Contempt Case)

Respondents

COUNSEL FOR THE PETITIONERS: Mr. M. Panduranga Rao,  
COUNSEL FOR THE RESPONDENTS 1 & 2: Mr. E. Manohar, on behalf  
of  
Mr. P. Nageswara Sree.

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**C.C. No. 363 of 2002**

(Contempt Case under Sections 10 to 12 of Contempt of Courts Act to punish the respondents for committing contempt of this Hon'ble Court by willfully disobeying the orders passed W.P.No.24811 of 1998 dated 06-07-1999)

Between:

I.S. Rama Rao

Petitioner

AND

1. Sri Tek Chandani K. Chairman and MD, Cement Corporation of India Limited, Core-V, Scope Complex, 7 Lodhi Road, New Delhi
2. Sri A. K. Sinha, Director (Operations), Cement Corporation of India Limited, Core-V, Scope Complex, 7 Lodhi Road, New Delhi
3. The Secretary, Department of Heavy Industries, Udyog Bhavan, Udyog Bhavan, New Delhi.  
(Respondent No. 3 is impleaded as per party respondent vide Court order dated: 09-01-2004 in this Contempt Case)

Respondents

COUNSEL FOR THE PETITIONERS: Mr. M. Panduranga Rao,  
COUNSEL FOR THE RESPONDENTS 1 & 2: Mr. E. Manohar, on behalf  
of  
Mr. P. Nageswara Sree.

**C.C.No. 19 of 2003**

(Contempt case under sections 10 to 12 of the contempt of Courts Act, 1971 to punish the respondents for committing contempt of this Hon'ble

Court by willfully disobeying the orders passed in W.P. No. 32845 of 1998 dated: 06-07-1999)

Between:

B.B.V. Krishnam Raju

Petitioner

AND

1. Sri Tek Chandani K. Chairman and Managing Director, Cement Corporation of India Ltd., Core-V, Scope Complex, 7 Lodhi Road, New Delhi
2. Sri A.K. Sinha, Director (Operations), Cement Corporation of India Limited, Core V, Scope Complex, 7, Lodhi Road, New Delhi.
3. The Secretary, Department of Heavy Industries, Udyog Bhavan, Udyog Bhavan, New Delhi.  
(Respondent No. 3 is impleaded as per party respondent vide Court order dated: 09-01-2004 in this Contempt Case)

Respondents

COUNSEL FOR THE PETITIONERS: Mr. M. Panduranga Rao,  
COUNSEL FOR THE RESPONDENTS 1 & 2 : Mr. E. Manohar, on behalf  
of  
Mr. P. Nageswara Sree.

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**C.C.No.295 of 2003**

(Contempt Case under Sections 10 to 12 of the contempt of Courts Act, 1971 to punish the respondents for committing contempt of this Hon'ble Court by willfully disobeying the orders passed in W.P.No.19901 of 1998 dated 6-7-1999).

Between:

V.K. Kathuria

Petitioner

AND

1. Sri Tek Chandani K. Chairman & MD, Cement Corporation of India Ltd., Core –V, Scope Complex, 7 Lodhi, Road, New Delhi
2. Sri A.K. Sinha, Director (Operations), Cement Corporation of India Ltd., Core –V, Scope Complex ,7 Lodhi Road, New Delhi.
3. The Secretary, Department of Heavy Industries, Udyog Bhavan, Udyog Bhavan, New Delhi.

(Respondent No. 3 is impleaded as per party respondent vide Court order dated: 09-01-2004 in this Contempt Case)

Respondents

COUNSEL FOR THE PETITIONERS: Mr. M. Panduranga Rao,  
COUNSEL FOR THE RESPONDENTS 1 & 2: Mr. E. Manohar, on behalf  
of  
Mr. P. Nageswara Sree.

**C.C.No.296 of 2003 :**

(Contempt Case under Sections 10 to 12 of the contempt of Courts Act, 1971 to punish the respondents for committing contempt of this Hon'ble Court by willfully disobeying the orders passed in W.P.No.19901 of 1998 dated 6-7-1999).

Between:

S.B. Verma

Petitioner

AND

1. Sri Tek Chandani K. Chairman & MD, Cement Corporation of India Ltd.,  
Core –V,  
Scope Complex, 7 Lodhi, Road, New Delhi
2. Sri A.K. Sinha, Director (Operations), Cement Corporation of India Ltd., Core  
–V,  
Scope Complex ,7 Lodhi Road, New Delhi.
3. The Secretary, Department of Heavy Industries, Udyog Bhavan, Udyog  
Bhavan,  
New Delhi.

(Respondent No. 3 is impleaded as per party respondent vide Court order dated: 09-01-2004 in this Contempt Case)

Respondents

COUNSEL FOR THE PETITIONERS: Mr. M. Panduranga Rao,  
COUNSEL FOR THE RESPONDENTS 1 & 2 : Mr. E. Manohar, on behalf  
of  
Mr. P. Nageswara Sree.

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**C.C. No. 444 of 2002**

(Contempt case under sections 10 to 12 of contempt of Courts Act, 1971 to punish the respondents for committing contempt of this Hon'ble Court order

by willfully disobeying the orders passed in W.P.No.22122 of 1998 dated 06-07-1999).

Between:

- 1. M. Narayana Reddy
- 2. D. Umamaheswarlu

Petitioners

AND

- 1. Sri Tek Chandani K. Chairman & Managing Director, Cement Corporation Of India Ltd., Core-V, Scope Complex, 7 Lodhi Road, New Delhi.
  - 2. Sri A.K. Sinha, Director (Operations), Cement Corporation of India Ltd., Core-V, Scope Complex, 7 Lodhi Road, New Delhi.
  - 3. The Secretary, Department of Heavy Industries, Udyog Bhavan, Udyog Bhavan, New Delhi.
- (Respondent No. 3 is impleaded as per party respondent vide Court order dated: 09-01-2004 in this Contempt Case)

Respondents

COUNSEL FOR THE PETITIONERS: Mr. M. Panduranga Rao,  
COUNSEL FOR THE RESPONDENTS 1 & 2 : Mr. E. Manohar, on behalf  
of  
Mr. P. Nageswara Sree.

**C.C.No. 490 of 2002**

(Contempt case under sections 10 to 12 of the contempt of Courts Act to punish the respondent for committing contempt of this Hon'ble Court by willfully disobeying the orders passed in W.P. No. 26039 of 1998 dated 6-7-1999)

Between:

Y. Rajanna  
Petitioner

AND

- 1. Sri Tek Chandani K. Chairman and Managing Director, Cement Corporation of India Ltd., Core-V, Scope Complex, 7 Lodhi Road, New Delhi
  - 2. The Secretary, Department of Heavy Industries, Udyog Bhavan, Udyog Bhavan, New Delhi.
- (Respondent No. 2 is impleaded as per party respondent vide Court order dated: 09-01-2004 in this Contempt Case)

Respondents

COUNSEL FOR THE PETITIONERS: Mr. M. Panduranga Rao,  
COUNSEL FOR THE RESPONDENTS 1 & 2: Mr. E. Manohar, on behalf  
of  
Mr. P. Nageswara Sree.

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**C.C.No.547 of 2003 :**

(Contempt Case under Sections 10 to 12 of the contempt of Courts Act, 1971 to punish the respondents for committing contempt of this Hon'ble Court by willfully disobeying the orders passed in W.P.No.19901 of 1998 dated 06-07-1999).

Between:

K.N. Jha

Petitioner

AND

1. Sri Tek Chandani K. Chairman & MD, Cement Corporation of India Ltd.,  
Core –V,  
Scope Complex, 7 Lodhi, Road, New Delhi
2. Sri A.K. Sinha, Director (Operations), Cement Corporation of India Ltd., Core  
–V,  
Scope Complex ,7 Lodhi Road, New Delhi.
3. The Secretary, Department of Heavy Industries, Udyog Bhavan, Udyog  
Bhavan, New Delhi.  
(Respondent No. 3 is impleaded as per party respondent vide Court order  
dated: 09-01-2004 in this Contempt Case)

Respondents

COUNSEL FOR THE PETITIONERS: Mr. M. Panduranga Rao,  
COUNSEL FOR THE RESPONDENTS 1 & 2: Mr. E. Manohar, on behalf  
of  
Mr. P. Nageswara Sree.

**C.C.No.681 of 2003 :**

(Contempt Case under Sections 10 to 12 of the contempt of Courts Act, 1971 to punish the respondents for committing contempt of this Hon'ble Court by willfully disobeying the orders passed in W.P.No.22122 of 1998 dated 6-7-1999).

Between:

B.S. Kuruvina Shetti

Petitioner

AND

1. Sri Tek Chandani K. Chairman & MD, Cement Corporation of India Ltd.,  
Core –V,  
Scope Complex, 7 Lodhi, Road, New Delhi
2. Sri A.K. Sinha, Director (Operations), Cement Corporation of India Ltd., Core  
–V,  
Scope Complex ,7 Lodhi Road, New Delhi.
3. The Secretary, Department of Heavy Industries, Udyog Bhavan, Udyog  
Bhavan, New Delhi.  
(Respondent No. 3 is impleaded as per party respondent vide Court order



dated: 09-01-2004 in this Contempt Case)

Respondents

COUNSEL FOR THE PETITIONERS: Mr. M. Panduranga Rao,  
COUNSEL FOR THE RESPONDENTS 1 & 2 : Mr. E. Manohar, on behalf  
of  
Mr. P. Nageswara Sree.

Respondents

These batch of Contempt Cases coming on for hearing and upon perusing the petition and affidavit filed thereof and the High Court order dated 18-3-2002, 18-4-2002, 05-07-2002 and 09-10-2002 made in C.C. Nos. 1619 of 2001 and 182, 183, 184 and 185 of 2002 and the High Court order dated 31-1-2003 made in C.C. Nos. 363, 444, 490, 182 to 185 of 2002 and 1619 of 2001 and dated: 26-12-2003 made herein and upon hearing the arguments of above said counsel, the court made the following

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**ORDER:**

**“Pursuant to the directions given by this Court on 26-10-2003, contemnors are present and their presence is dispensed with.**

**Arguments are advanced on behalf of the Contemnor i.e. Chairman & Managing Director, Cement Corporation of India Ltd., New Delhi.**

**The learned Senior Counsel Mr. E. Manohar, appearing on behalf of Mr. P. Nageswara Sree, learned counsel for the contemnor, advanced arguments saying that inspite of their best efforts to get the amounts from the Government, the government is not releasing the funds and as such, the contemnor is not in a position to pay the amounts as compromised and thus, the orders could not be implemented. It is further submitted by the learned Senior Counsel, appearing for the contemnor, that as and when the amounts are received by some of the units as directed by the BIFR, the amounts will be deposited. But, however, he could not give assurance that the amounts would be paid within a particular time. It is further brought to my notice by the learned Senior Counsel that global tenders were called for and they will be opened on 15<sup>th</sup> January, 2004. But, however, it takes some more time for them to receive the amounts.**

**In the light of the said statements, this Court is of the view that the Central Government may be summoned, so that it would be clear as to when the Central Government will be in a position to release the amounts to Cement Corporation of India, so that the said Corporation would pay the amounts to the employees (Retired/in service). Accordingly, this Court issues notice to the Secretary, Department of Heavy Industries, Udyog Bhavan, New Delhi to file a detailed counter as to when it will be in a position to release the funds in favour of the contemnors and the office is directed to implead the Central Government as one of the respondents.**

**The learned counsel for the petitioners is permitted to take out notice to the Secretary, Department of Heavy Industries, Udyog Bhavan, New Delhi and file proof of service.**

**Post after three weeks”.**

DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. Sri Tek Chandani K. Chairman & Managing Director, Cement Corporation of India Limited, Core – V, Scope Complex,,7 Lodhi Road, New Delhi.
2. Sri A.K. Sinha, Director (Operations), Cement Corporation of India Limited, Core-V, Scope Complex, 7 Lodhi Road, New Delhi. (1 & 2 BY RPAD)
3. The Secretary, Department of Heavy Industries, Udyog Bhavan, Udyog Bhavan, New Delhi. (BY RPAD with a copy of petitions batch and affidavits)
4. One CC to Mr. E. Monohar, Senior Counsel, High Court of A.P., Hyderabad. (BY SPECIAL MESSENGER)
5. One CC to Mr. P. Nageswara Sree, Advocate, High Court of A.P., Hyderabad. (BY SPECIAL MESSENGER)
6. One spare copy.

Ksv

**HIGH COURT**

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Date of drafting: 21-01-2004

**TGKJ**

DATE: 09-01-2004

NOTE: POST AFTER THREE WEEKS

## **ORDER**

**CONTEMPT CASE Nos. 182 to 185 of 2002,  
1619 of 2001, 363 of 2002, 19 of 2003,  
295 of 2003, 296 of 2003, 444 of 2002,  
490 of 2002, 547 of 2003 and 681 of 2003.**

## **DIRECTION**