

2023 LiveLaw (SC) 103

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE/INHERENT JURISDICTION**

B.R. GAVAI; J., VIKRAM NATH; J.

FEBRUARY 06, 2023

MISCELLANEOUS APPLICATION NO. 126/2023 IN C.A. NO. 7683/2009

JUNAGADH MUNICIPAL CORPORATION *versus* ADARSH COOPERATIVE HOUSING SOCIETY LTD.

Contempt of Courts Act 1971 - When an order has been passed by the highest Court of the country, there is no occasion for the Collector to seek permission for implementation of the orders passed by this Court.

(Arising out of impugned final judgment and order dated 08-12-2022 in C.A. No. 7683/2009 passed by the Supreme Court of India)

For Petitioner(s) Mr. Huzefa Ahmadi, Sr. Adv. Mr. Pradhuman Gohil, Adv. Ms. Taruna Singh Gohil, Adv. Ms. Renu Purohit, Adv. Mr. Alapati Sahithya Krishna, Adv. Mr. Ejaz Maqbool, AOR

For Respondent(s) Mr. Harin Raval, Sr. Adv. Mr. D.N. Ray, Adv. Mr. Dilip Kumar Nayak, Adv. Ms. Disha, Adv. Mrs. Sumita Ray, AOR Ms. Deepanwita Priyanka, AOR

ORDER

In the order dated 08.12.2022 passed by this Court in C.A. No.7683/2009, in paragraph 24 of the order the words “We, therefore, direct the Appellant-Corporation” be read as “We, therefore, direct the Appellant-Corporation/State Government”.

The application is allowed to the extent indicated above.

A perusal of the communication dated 10.01.2023 would show that on the face of it, it is contemptuous of our order dated 08.12.2022.

When an order has been passed by the highest Court of the country, there is no occasion for the Collector to seek permission for implementation of the orders passed by this Court.

In that view of the matter, issue notice to Mr. Rachit Raj, Collector, Junagadh District, Junagadh, calling upon him to remain present in this Court on 27.02.2023 to show cause, as to why an action should not be taken against him for committing contempt of this Court.

It is made clear that in the event a better counsel prevails upon the said officer and he implements the order passed by this Court dated 08.12.2022, as modified today, in its true spirit, he need not remain present in this Court on 27.02.2023.

List on 27.02.2023 as first item.

© All Rights Reserved @LiveLaw Media Pvt. Ltd.

*Disclaimer: Always check with the original copy of judgment from the Court website. Access it [here](#)