

ITEM NO.35

COURT NO.12

SECTION IV-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (C) No. 14420/2025

[Arising out of impugned final judgment and order dated 17-04-2025 in CCC No. 674/2020 passed by the High Court of Karnataka at Bengaluru]

H.D. KUMARASWAMY

PETITIONER(S)

VERSUS

SAMAJ PARIVARTANA SAMUDAYA (SPS) & ORS.

RESPONDENT(S)

(IA No. 127886/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT; IA No. 127888/2025 - EXEMPTION FROM FILING O.T.; IA No. 128226/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES and IA No. 127885/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 17-07-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PANKAJ MITHAL
 HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) Mr. C Aryama Sundaram, Sr. Adv.
 Mr. Balaji Srinivasan, AOR
 Mr. Nishanth A V, Adv.
 Mr. Raghavacharyulu, Adv.
 Ms. Harsha Tripathi, Adv.
 Mr. Zafar Inayat, Adv.
 Ms. Rohini Musa, Adv.

For Respondent(s) Mr. Prashant Bhushan, AOR
 Mr. Anurag Tiwary, Adv.

UPON hearing the counsel the Court made the following
 O R D E R

1. Heard Mr. C Aryama Sundaram, learned senior counsel assisted by Mr. Balaji Srinivasan, learned Advocate-on-Record for the petitioner and Mr. Prashant Bhushan, learned Advocate-on-Record for the respondent No.1, appearing on caveat.

2. The contempt proceedings were drawn before the High Court for the disobedience of the order dated 14.01.2020 passed by the Division Bench of the High Court in Writ Petition No.49 of 2020.

3. The said order in the writ petition was passed by the High Court on the basis of the statement of the Additional Advocate General wherein he stated that the State will comply with the order dated 05.08.2014 passed by the Karnataka Lokayukta within a period of three months.

4. It is submitted that the aforesaid order of the Lokayukta was a detailed order but was interlocutory in nature and finally, the Lokayukta has closed the proceedings vide order dated 03.03.2021 and therefore, the order of the Lokayukta dated 05.08.2014 ceased to have any independent existence and stands merged in the final order. In such a situation, the proceedings for contempt cannot go on.

5. The second submission is that at the relevant time, the petitioner was not a party to the contempt proceedings but even then, action was taken against him. This Court vide order dated 28.03.2025 disposed of the special leave petition preferred by the petitioner with liberty to him to bring to the notice of the High Court that he has

been deleted from the contempt proceedings. In pursuance thereof, the petitioner made an application to the Court to the above effect on which the Contempt Court has directed for the impleadment of the petitioner.

6. The petitioner has not applied for impleadment and that he has only brought to the notice of the Court, the fact, that he is not a party as permitted by this Court.

7. Issue notice, returnable within six weeks.

8. Formal service of notice upon the respondent No.1 is dispensed with as Mr. Prashant Bhushan, learned Advocate-on-Record appears on caveat for the said respondent and accepts notice on its behalf. Hence,. He may file response to the present petition with a period of four weeks' from today.

9. Mr. C Aryama Sundaram, learned senior counsel submits that respondent Nos. 2,3,4,5 and 6 are formal parties and need not be served at this stage and probably, he would take steps to delete them from the array of parties.

10. In view of the above, service of notice upon the respondent Nos.2 to 5 is dispensed with for the time being.

11. Further, the petitioner will take steps for

serving notice upon the respondent No.6.

12. In the meantime, the effect and operation of the order impugned dated 17.04.2025 shall remain stayed.

(SNEHA DAS)
SENIOR PERSONAL ASSISTANT

(NIDHI MATHUR)
COURT MASTER (NSH)