

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 386 OF 2009

MUNICIPAL CORP.OF GREATER MUMBAI

Appellant(s)

VERSUS

BEST KAMGAR KARMACHARI & ORS.

Respondent(s)

J U D G M E N T

KURIAN, J.

1. The appellant is aggrieved by the order passed by the High Court of judicature of Bombay in Contempt Petition Ldg. No. 41 of 2007 in Writ Petition No. 901 of 2007, whereby the contempt petition was dismissed.

2. The respondents, however, explained their position before the High Court tendering also an unconditional apology. Having regard to the nature of the alleged violation of the order by indulging in illegal strike, the High Court came to the conclusion that it is difficult to render a finding regarding commission of contempt of Court by the respondents.

3. Now that the strike relates to the year 2007 and thereafter, the parties have apparantly purchased peace and since the respondents have tendered unconditional apology for their alleged contumacious conduct before the High Court, we do not think it necessary for this Court to make any further enquiry in that regard.

4. However, we may hasten to add that the respondents are bound to respect and comply with the orders passed by the Courts/Tribunals in letter and spirit, failing which, they should be answerable to the charge of contempt of court.

5. Subject to the above observations, this appeal is disposed of with no order as to costs.

.....J.
[KURIAN JOSEPH]

.....J.
[ROHINTON FALI NARIMAN]

New Delhi;
February 03, 2016.



JUDGMENT