

**IN THE HIGH COURT OF MANIPUR  
AT IMPHAL**

**Contempt Case(Criminal) No. 2 of 2022**

*Ref:- WP(C) No. 636 of 2019*

1. Ningthoujam Loli Singh, aged about 66 years, S/o (L) N. Brajamani Singh of Wahengbam Leikai, P.O. & P.S. Imphal, Imphal West District, Manipur, Pin-795001.
2. W. Rajamani Singh, aged about 66 years, S/o (L) W. Aber Singh of Naoremthong Takyel Khongbal CRPF Group Centre Imphal, P.O. Langjing, P.S. Lamphel, Imphal West District, Manipur, Pin-795001.
3. Rajkumar Sanatombi Singh, aged about 60 years, S/o Rajkumar Madhusana Singh of Singjamei Mayengbam Leikai, P.O. & P.S. Singjamei, Imphal West District, Manipur, Pin- 795001.
4. Mangkhojang Haokip, aged about 50 years, S/o Henkholet Haokip of Leibolkholen, P.O. & P.S. New Keithelmanbi, Senapati District, Manipur, Pin-795120.
5. Md. Akebudin, aged about 61 years, S/o Emamudin of Khomidok, P.O. Pangei P.S. Heingang, Imphal East District, Manipur, Pin- 795114.
6. Ningthoujam Ibocha Singh, aged about 67 years, S/o (L) N. Aber Singh of Changangei Maning Leikai, P.O. Tulihal, P.S. Lamphel, Imphal West District, Manipur, Pin- 795004.

7. Golmei Shankokna, aged about 60 years, S/o Golmei Khuidilung of Noney, P.O. & P.S. Noney, Tamenglong District, Manipur, Pin 795141.
8. Y. Yaikul Singh, aged 61 years, S/o (L) Y. Kala Singh of Kakwa Lamdaibung, P.O. & P.S. Singjamei, Imphal West District, Manipur, Pin- 795008.
9. Laishram Ibemnao Chanu, aged about 49 years, S/o Laishram Thoiba Meitei of Keishamthong Elangbam Leikai, P.O. & P.S. Imphal, Imphal West District, Manipur, Pin- 795001.
10. Chance Raikham, aged about 60 years, S/o (L) Haorei of Langol Ningthou Leikai, Imphal, P.O. & P.S. Lamphel, Imphal West District, Manipur, Pin-795004.
11. A. Kala Singh, aged about 67 years, S/o (L) A. Thambal Singh of Samurou Awang Leikai Bazar, P.O. & P.S. Wangoi, Imphal West District, Manipur, Pin – 795008.

**.....Petitioners**

**-Versus-**

Mr. John K. Sellate, the Principal Accountant General, (A&E), Manipur, P.O. & P.S. Imphal, Imphal West District, Manipur, Pin- 795001.

**.....Respondent**

BEFORE  
**HON'BLE THE ACTING CHIEF JUSTICE M.V. MURALIDARAN**  
**HON'BLE MR. JUSTICE A. GUNESHWAR SHARMA**

For the Petitioners :: Mr. S. Rupachandra, Sr. Adv.

For the Respondents :: Mr. S. Suresh, Advocate

Date of Hearing and  
reserving Judgment & Order :: 27.02.2023

Date of Judgment & Order :: **13.03.2023**

**JUDGMENT AND ORDER**

(CAV)

*(M.V. Muralidaran, Acting CJ)*

This contempt petition has been filed by the petitioners under Section 15 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India against the respondent for the deliberate and willful violation of the order dated 25.1.2022 passed in Contempt Case (C) No.67 of 2020.

2. Heard Mr. S. Rupachandra, learned senior counsel for the petitioners and Mr. S. Suresh, the learned counsel for the respondent/contemnor.

3. Mr. S. Rupachandra, the learned senior counsel for the petitioners submitted that the petitioners and one Raghu Leishangthem have earlier filed W.P.(C) No.636 of 2019 praying for payment of personally protected pay scale and to refund the deducted amount from pension as well as not to deduct any amount any more from their pensionary benefits. By order dated 19.8.2019, the said writ petition was disposed of directing the

petitioners to submit a fresh representation to the Commissioner of Excise, Government of Manipur for redressal and pursuant to the aforesaid direction, the petitioners have also submitted representations dated 21.8.2019 and 18.10.2019 respectively, which were followed by issuance of a legal notice dated 22.11.2019. Despite receipt of the representations and the legal notice, no action was taken. In the meanwhile, on 25.2.2020 the respondent/contemnor herein has written a letter to the Commissioner of Excise for fixation of pay and another letter dated 27.2.2020 to the Principal Secretary (Finance).

4. The learned counsel would submit that despite the approval conveyed and allowing to fix pay scale vide letter dated 18.3.2021 of the Secretariat of Finance/PIC, still the respondent seeking clarification. Even after the lapse of the time period stipulated by this Court in the writ petition, the authorities did not communicate anything to the petitioners nor comply with the Court's order. In such situation, the petitioners have filed Contempt Case (C) No.67 of 2020 and the same was disposed of on 25.1.2022 after recording the compliance order dated 30.7.2020 passed by the authority concerned.

5. The learned counsel further submitted that the existence of the order dated 25.1.2022 has been communicated

to the respondent on 31.1.2022 and despite receipt of the same, no action was taken by the respondent nor any communication is made to the petitioners. The said act and inaction of the respondent amounts to wilful violation of the order of the Court passed in the Contempt Case (C) No.67 of 2020 and, as such, it attracts for criminal proceedings of Contempt of Courts. Before initiation of the present contempt petition, the petitioners had written a letter to the learned Advocate-General on 8.3.2020 to provide his consent for filing criminal contempt stating that the recently retired petitioners have not been released their retirement benefits due to non-fixation of scale of pay and also a huge amount has been deducted from the pensioners of the Department and also likely to deduct from the pensionary benefits of the petitioners.

6. According to the learned counsel for the petitioners, narrating all these things, the petitioners have filed Contempt Case (Crim.) No.1 of 2022 and the same was earlier heard by the learned Single Judge and by the order dated 4.5.2022, the nomenclature of the said contempt case has been changed as Contempt Case (C) No.64 of 2022 and the petitioners have also withdrawn the said contempt case with liberty to approach the appropriate forum. The petitioners have also submitted

application dated 16.5.2022 to the learned Advocate General for filing criminal contempt. Since in deserving case, consent of the learned Advocate General is not required and the present contempt petition is one such case, without consent of the learned Advocate General, the criminal contempt petition has been filed. For the violation of the order of this Court, particularly in Contempt Case (C) No.67 of 2020, the initiation of criminal contempt against the respondent is very much required.

7. The respondent/contemnor questioned the maintainability of the present contempt case, *inter alia*, contending that the order dated 30.7.2020 came to be issued by the Finance Department (Expenditure Section) purportedly in compliance of the order dated 19.8.2019 passed in W.P.(C) Nos.636 of 2019 and 313 of 2020 respectively. However, a necessity arose for seeking certain clarification of the order dated 30.7.2020 and, as such, the Chief Secretary (Finance/PIC), Government of Manipur was requested vide letter dated 18.2.2021 of the Excise Department to look into the matter and to convey the decision of the Government of Manipur as to whether revision of pay under the Manipur Services (Revised Pay) Rules, 2010 will be made with reference to the personal pay scales as prescribed under Manipur Services (Revised Pay)

Rules, 1999 or as per the latest Rule 3(3) of the Manipur Services (Revised Pay) Rules, 2010 read with the notification of the Finance Department dated 28.12.2006 in order to comply with the orders of this Court and to avoid future legal complications. The Finance Department, in its letter dated 18.3.2021, clarified that the fixation of pay should be as per Rule 3(3) read with the notification dated 28.12.2006 and the pay of the employees of Excise Department where financial upgradation has been granted under order dated 8.11.2007, 15.1.2020 and 18.10.2020 and the corrigendum dated 18.12.2017 shall be allowed on the basis of the letter dated 11.10.2010.

8. Mr. S. Suresh, the learned counsel for the respondent/contemnor further submitted that the clarification dated 18.3.2021 is not in consonance with the notification dated 28.12.2006 which required downgradation of pay scales and this has resulted in differential application of revision pay Rules amongst different Departments of the Government such as by continuing pay scales under the Manipur Services (Revised Pay) Rules, 1999 in the case of employees of Excise Department and then switch over to Manipur Services (Revised Pay) Rules, 2010 and on the other hand by downgrading of pay scales and then switch over to Manipur Services (Revised Pay) Rules, 2010 for the employees of other Departments.

9. The learned counsel would submit that due to non-finalisation/non-communication of the final decision by the concerned State authority, the respondent/contemnor was put in such a position where he could not proceed any further in the matter. The legal notice dated 31.1.2022 was served by the learned counsel for the petitioners thereby highlighting the closure of the Contempt Case (C) No.67 of 2020 by its order dated 25.1.2022.

10. The learned counsel for the respondent submitted that the respondent herein was not represented by the counsel while passing the order dated 25.1.2022 in Contempt Case (C) No.67 of 2020 and the respondent has also taken steps for filing review petition to review the order dated 25.1.2022. However, before filing the review petition, the Finance Department vide letter dated 10.5.2022 informed the respondent that no recovery as proposed may be made from the retired employees of Excise Department and that the pay fixation may be made as per Rule 3(3) read with the notification dated 28.12.2006 and the clarification dated 7.7.2010 and the payment of their pension may be calculated based on the basis of the substantive scale of pay of the concerned employees of the Excise Department to be drawn on the date of their retirement.

11. Pursuant to the decision of the Government as communicated vide letter dated 10.5.2022 and after following due process, actions have been taken for compliance of the order. Out of 12 petitioners in W.P.(C) No.636 of 2019, the pension papers/service books of four petitioners 2 to 4 and 9 have not been received in the office and the information regarding the financial upgradation extended to them and the period etc. were not available.

12. In respect of petitioners 1 and 11, they are drawing pension at higher scale since retirement i.e. 1.3.2015 and 1.1.2015 respectively and no recovery was made from 1.7.2005 to 31.3.2010. As far as the first petitioner is concerned, recovery was affected only from 1.4.2010 to 28.2.2015 which had now been refunded to him vide letter dated 27.5.2022. For the petition No.11, no recovery was made from 1.7.2005 to 30.6.2006 and from 1.1.2007 to 31.3.2010 and recovery was affected only from 1.7.2006 to 26.12.2006 and from 1.4.2010 to 31.12.2014 which had now been refunded to him vide letter dated 27.5.2022. In respect of petitioners 7 and 8, pension payment are being drawn as per Rule 3(3) of the Manipur Services (Revised Pay) Rules, 2010 since the date of retirement on 1.1.2020 and 1.3.2021 respectively and both the petitioners 7 and 8 enjoyed higher pay

from 1.7.2005 to 29.2.2020 and from 1.7.2005 to 28.2.2021 respectively and no recovery was effect with effect from 1.4.2010 till the date of retirement. In respect of petitioner No.10, pension payment is being drawn as per Rule 3(3) and he enjoyed higher pay with effect from 1.7.2005 till the date of retirement on 28.2.2019 and no recovery was affected in his case instead a fresh pay slip granting higher pay was issued to him for a period covering 1.10.2015 to 28.2.2019. Arguing so, the learned counsel for the respondent submitted that there is no violation of the order of this Court and the contempt of court more specifically the criminal contempt alleged by the petitioner does not arise. Further, the present contempt petition has been filed without obtaining consent from the learned Advocate General and therefore, the same is not maintainable and liable to be dismissed.

13. In reply, the learned counsel for the petitioners submitted that the amount to be drawn by the first petitioner who enjoys the scale of pay of Rs.9,300-34,800 plus GP 4600 is to be Rs.26,330/-, however, by applying Rule 3(3), the office of the Accountant General reduced it to the tune of Rs.24,140/-, which shows that the application of Rule 3(3) was totally a wrong act done by the authority.

14. The learned counsel admitted the refund of the deducted amount and the only issue which remains is non-compliance of this Court order to change/increase the amount in pension payment order thereby showing actual scale of pay and the total emolument enjoyed by the petitioners. The logic of refund of deducted amount entails that upgraded/prescribed scale under ACP I&II is entitled by the pensioners in their pension and as per Rue 49 of the CCS (Pension) Rules, pension is to be calculated as 50% of the total emolument.

15. The learned counsel for the petitioners submitted that the Court's order is strictly to be complied with the rules/orders/notifications as incorporated in the compliance order dated 19.8.2019 by which the earlier Contempt Case (C) No.67 of 2020 was closed which are Department orders dated 8.11.2007, 15.1.2010 and 18.10.2010 and as such, Rule 3(3) is very much not there. In fact, the Accountant General has not treated all the petitioners equally and judiciously in the matter of either fixation of pay scale or recovery of amount and that there is unequal calculation of pay or pension among these petitioners out of which PPO of four persons have not been settled for want of correct calculation, payment and fixation of rate of pension

without deduction in their case. Therefore, the respondent deserves punishment from this Court by way of contempt.

16. We have considered the rival submissions and also perused the materials available on record.

17. The filing of the present contempt petition arose from the alleged non-compliance of the order dated 25.1.2022 passed in Contempt Case (C) No.67 of 2020, which was filed alleging the wilful disobedience of the order dated 19.8.2019 passed in W.P.(C) No.636 of 2019, whereby the learned Single Judge of this Court in the operative portion of the order held as under:

*“In that view of the matter, the present writ petition is disposed of directing the petitioners to file a fresh representation before the respondents No.3 i.e. the Commissioner of Excise, Government of Manipur for redressal of their grievances within a period of one week from today. Thereafter, the respondent No.3 on receipt of the representation to be made by the petitioners shall consider and dispose of the same by a speaking order and in accordance with law within a period of three months from the date of receipt of the said representation.*”

*With the above observations and directions,  
the present writ petition stands disposed of.”*

18. The Contempt Case (C) No.67 of 2020 has been closed on 25.1.2022 and the order reads thus:

*“Heard Ms. L.Sanjeeka Devi, learned counsel for the petitioners. Also heard Mr. Niranjan, learned G.A. appearing for the respondent No.1.*

*The respondent No.1 has filed an affidavit enclosing an Order dated 30.07.2020 annexed as Annexure-X/1 and the relevant portion of the said order is reproduced hereinbelow:*

*“7. Now, therefore, in compliance of the Hon’ble High Court of Manipur’s order dated 19.08.2019 in connection with WP(C) No.636 of 2019 and order dated 25.06.2020 in connection with WP(C) No.313 of 2020, the Governor of Manipur is pleased to order that the pay of the employees of Department of Excise, Manipur as per the financial up-gradation granted under Excise Department’s order No. Ex/22/ACP/2006 dated 08.11.2007, 15.01.2010 and 18.10.2010 and No. Ex/23/ACP/2006 dated 06.10.2016 and its Corrigendum dated 18.12.2017 shall be allowed on the basis of Finance*

*Department (Expenditure Section)  
letter No.5/12/2007-FD (Excise) dated  
11.10.2010.”*

*Considering the Order dated  
30.06.2020, this Court is of the  
considered opinion that the  
respondents have complied with the  
Order dated 19.08.2019 passed by this  
Court in WP(C) No.636 of 2019.*

*Accordingly, contempt petition is  
closed.*

*However, liberty is given to the  
petitioners, if further aggrieved, to  
approach this Court by way of filing an  
appropriate petition.*

*Furnish a copy of this order to learned  
counsel for the parties through their  
respective emails/WhatsApp.”*

19. After passing the order dated 25.1.2022, on 31.1.2022, the petitioners sent a legal notice to the respondent stating that the incumbents who had already retired like the petitioners during the pendency of the court cases, their retirement/pensionary benefits have been stalled by virtue of such non-clearance of fixation in ACP I&II upgradation and requested to act on the line of compliance order passed in Contempt Case (C) No.67 of 2020 at the earliest, otherwise, the

petitioners will initiate criminal contempt against the respondent. The petitioners have also filed Contempt Case (Cril.) No.1 of 2022 against the respondent herein and when the contempt case was listed before the First Bench on 27.4.2022, the First Bench directed the contempt case to be listed on 4.5.2022 before the learned Single Judge who passed the order dated 25.1.2022 in Contempt Case No.67 of 2020. When the Contempt Case (Cril.) No.1 of 2022 was taken up for hearing by the learned Single Judge on 6.5.2022, the learned senior counsel appearing for the petitioners prayed for withdrawal of the contempt petition with liberty to file an appropriate application before the appropriate forum and, accordingly, the Contempt Case (Cril.) No.1 of 2022 was disposed of.

20. The maintainability of the present criminal contempt case has been questioned by the respondent contending that initiation of criminal contempt case under Section 15 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India can only be done with the consent of the learned Advocate General of the State and, in the case on hand, no consent has been obtained from the learned Advocate General and, therefore, the instant contempt case is not maintainable and liable to be dismissed.

21. Section 15 of the Contempt of Courts Act, 1971

reads thus:

*“Section 15 – Cognizance of criminal contempt in other cases- (1) In the case of criminal contempt, other than a contempt referred to in Section 14, the Supreme Court or the High Court may take action on its own motion or on a motion made by –*

*(a). The Advocate-General, or*

*(b). any other person, with the consent in writing of the Advocate-General, or*

*(c). in relation to the High Court for the Union territory of Delhi, such Law Officer as the Central Government may, by notification in the Official Gazette, specify in this behalf, or any other person, with the consent in writing of such Law Officer.*

*(2) In the case of any criminal contempt of a subordinate court, the High Court may take action on a reference made to it by the subordinate court or on a motion made by the Advocate-General or, in relation to a Union territory, by such Law Officer as the Central Government may, by notification in the Official Gazette, specify in this behalf.*

*(3) Every motion or reference made under this section shall specify the contempt of*

*which the person charged is alleged to be guilty.*

*Explanation. In this section, the expression “Advocate-General” means – Solicitor-General;*

*(a). in relation to the Supreme Court, the Attorney-General or the Solicitor-General;*

*(b). in relation to the High Court, the Advocate-General of the State or any of the States for which the High Court has been established;*

*(c). in relation to the Court of a Judicial Commissioner, such Law Officer as the Central Government may, by notification in the Official Gazette, specify in this behalf.”*

22. Thus, it is clear from the terms in sub-clause (b) of sub-section 1 of Section 15 of the Contempt of Courts Act, 1971 that in the case of a criminal contempt other than the contempt referred to in Section 14 of the Act, the High Court may take action on its own motion or on the motion made by any other person with the consent in writing of the learned Advocate General. Thus, the Contempt of Courts Act, 1971 stipulates the procedural requirement for making a motion by any other person, like the petitioners with the prior consent in writing of the learned

Advocate General. However, in the instant case, the petitioners have not obtained any consent from the learned Advocate General, which fact was also admitted by the petitioners themselves by stating that their case is deserving. To substantiate the same, no such material has been produced by the petitioner. Though the petitioners stated that on 16.5.2022, they have submitted an application before the learned Advocate General for according consent, the same has not been pursued by the petitioners. Further, no proof has been filed by the petitioners to show that really they have submitted application dated 16.5.2022 before the learned Advocate General. On the other hand, the petitioners have filed the instant contempt case on 18.5.2022 without obtaining consent from the learned Advocate General.

23. The filing of criminal contempt case by persons like the petitioners herein without the consent of the learned Advocate General is not maintainable. The aforesaid view of this Court is strengthened by the following decisions of the Hon'ble Supreme Court:

***(1) State of Kerala v. M.S.Mani and others,  
(2001) 8 SCC 82:***

“4. A perusal of clauses (1) and (b) of sub-section (1) of Section 15 makes it clear that in the case of criminal contempt the Supreme Court or the High Court may take action on its own motion or on a motion made by the Advocate-General or a motion of any other person with the consent in writing of the Advocate-General. There is no controversy that the contempt alleged is within the meaning of criminal contempt under clause (C) of Section 2 of the Act. From clause (b) of sub-section (1) of Section 15 it is manifest that a motion made by any person other than the Advocate-General must be with the prior consent in writing of the Advocate-General and analogous provision is to be found in Section 7 of the English Contempt of Courts Act, 1981.

....

6. The requirement of consent of the Advocate-General/Attorney-General/Solicitor-General where any person other than the said law officers makes motion in the case of a criminal contempt in a High Court or Supreme Court, as the case may be, is not a mere formality; it has a salutary purpose. The said law officers being the highest law

officers at the level of the State/Centre as also the officers of the courts are vitally interested in the purity of the administration of justice and in preserving the dignity of the courts. They are expected to examine whether the averments in the proposed motion of a criminal contempt are made vindicating public interest or personal vendetta and accord or decline consent postulated in the said provision. Further, cases found to be vexatious, malicious or motivated by motion of criminal contempt in the High Court/Supreme Court is not accompanied by the written consent of the aforementioned law officers, the very purpose of requirement of prior consent will be frustrated. For a valid motion compliance with the requirements of Section 15 of the Act is mandatory. A motion under Section 15 not in conformity with the provisions of Section 15 is not maintainable. ....”

***(2) Bal Thackrey v. Harish Pimpalkhute, (2005) 1 SCC 254:***

“20. It is well settled that the requirement of obtaining consent in writing of the Advocate General for making motion by any person is mandatory. A motion

under Section 15 not in conformity with the requirements of that section is not maintainable. ....

....

23. In these matters, the question is not about compliance or non-compliance with the principles of natural justice by granting adequate opportunity to the appellant but is about compliance with the mandatory requirements of Section 15 of the Act. As already noticed the procedure of Section 15 is required to be followed even when petition is filed by a party under Article 215 of the Constitution, though in these matters petitions filed were under Section 15 of the Act. From the material on record, it is not possible to accept the contention of the respondents that the Court had taken suomotu action. of Course, the Court had the power and jurisdiction to initiate contempt proceedings suomtu and for that purpose consent of the Advocate General was not necessary. At the same time, it is also to be borne in mind that the courts normally take suomotu action in rare cases. In the present case, it is evident that the proceedings before the High Court were initiated by the respondents by filing

contempt petitions under Section 15. The petitions were vigorously pursued and strenuously argued as private petitions. In absence of compliance with the mandatory requirement of Section 15, the petitions were not maintainable.

***(3) Muthu Karuppan, Commissioner of Police, Chennai v. Parithillamvazhuthi and another, (2011) 1 SCC 496:***

“46. Further, Section 15 of the Act as well as the Madras High Court Contempt of Court Rules insist that, particularly, for initiation of criminal contempt, consent of the Advocate General is required. Any deviation from the prescribed Rules should not be accepted or condoned lightly and must be deemed to be fatal to the proceedings taken to initiate action for contempt.

47. In the present case, the above provisions have not been strictly adhered to and even the notice issued by the then Division Bench merely sought for explanation from the appellant about the allegations made by Respondent 1.

...

49. In view of the discussion and conclusions, the order of the High Court convicting the appellant under Section 2(c) of the Act and sentencing him under Section 12 to undergo simple imprisonment for seven days is set aside. The appeal is allowed.”

24. Following the aforesaid decisions of the Hon’ble Supreme Court to the case on hand, we are of the view that the petitioners have failed to comply with the mandatory requirement of obtaining consent from the learned Advocate General before filing the criminal contempt case. Any petition of criminal contempt filed by any private person without the consent of the learned Advocate General will not be maintainable and will be dismissed on this ground alone.

25. The procedure of Section 15 of the Act is required to be followed even when the petitioners filed petition under Article 215 of the Constitution of India. In the absence of compliance with the mandatory requirement of Section 15 of the Act, the present criminal contempt case is not maintainable in the eyes of law. That apart, the ingredients for constituting criminal contempt as defined in sub-clause (c) of Section 2 of the Contempt of Courts Act, 1971 are not in existence in the present

case for constituting criminal contempt against the respondent herein.

26. As far as the alleged wilful disobedience pleaded by the petitioners is concerned, the instant contempt petition is arising out of the order dated 25.1.2022 passed in Contempt Case (C) No.67 of 2020. As stated supra, while closing the Contempt Case (C) No.67 of 2020, the learned Single Judge has given liberty to the petitioners to approach this Court by way of filing an appropriate petition, if they aggrieved by the order dated 30.07.2020, which means that if really, the petitioners have aggrieved, they can file appropriate petition and not specifically contempt petition. In the facts and given circumstances, the initiation of contempt proceedings is misconceived, inasmuch as the authorities have taken endeavor to comply with the order passed in the writ petition and the same cannot be termed as wilful disobedience as alleged by the petitioner. That apart, as could be seen from the records, the fixation/re-fixation of scale of pay in terms of relevant pay/revised pay rules and clarification issued by the State Government thereof, is not within the purview of the present respondent and the same lies within the domain of the concerned Department of the State Government, for which the respondent cannot be penalized.

27. For all the aforesaid reasons, we hold that the contempt petition to take action against the respondent under Section 15 of the Contempt of Courts Act, 1971 without the written consent of the learned Advocate General is not maintainable in law.

28. In the result, Contempt Case (Criminal) No.2 of 2022 is dismissed. No costs.

**JUDGE**

**ACTING CHIEF JUSTICE**

**FR/NFR**

*Sushil*