

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD

**FOR THE STATE OF TELANGANA AND THE STATE OF
ANDHRA PRADESH**

**FRIDAY, THE THIRTEENTH DAY OF MARCH TWO THOUSAND
AND FIFTEEN**

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Present

HON'BLE SRI JUSTICE P.NAVEEN RAO

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CONTEMPT CASE No.1015 of 2014

Between:

Banoth Samani, S/o. Lacha,
Aged about 50 years, Agriculture,
R/o. Bharampur Village, Marripeda,
Warangal District & 7 others

.. Petitioners

AND

Sri Adityanath, IAS,
Principal Secretary to Government,
Irrigation Department, Government of A.P.,
Secretariat Buildings, Hyderabad & another

.. Respondents

The Court made the following:

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HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.1015 of 2014

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ORDER:

The W.P.No.26908 of 2013 is instituted alleging that in spite of award passed in L.A.O.P.No.841 of 2012 on 12.04.2013 by the IV Additional District Judge, Warangal, the compensation payable is not deposited by the Requisition Department and, therefore, even though execution proceedings were initiated, the Land Acquisition Officer expressed inability to comply with the award since the Requisition Department has not paid and, therefore, the extra ordinary jurisdiction of this Court was invoked. Taking note of the stand of the Land Acquisition Officer that the award could not be complied because the Requisition Department has not made available the funds, the learned Government Pleader representing the Requisition Department submitted before the Court that due to financial constraints, the amount could not be deposited and requested for two months' time for depositing of the amount. The writ petition was disposed of by order, dated 29.11.2013.

2. Alleging non-compliance of the directions issued by this Court, the present contempt is filed.

3. In spite of granting sufficient time, as the order is not complied, on 20.02.2015 this Court directed to report compliance

within three (3) weeks and by the date of next hearing if the order is not complied, the Principal Secretary, Irrigation Department, was directed to appear. Today when the matter is called, a Memo is filed by the learned Government Pleader stating that the order of this Court in W.P.No.26908 of 2013, dated 29.11.2013, is complied by making available the requisite funds and, accordingly, an amount of Rs.1,53,47,390/- is deposited to the credit of E.P.No.74 of 2013, on the file of the IV Additional District Judge, Warangal, through Cheque bearing No.001851, dated 10.03.2015.

4. Learned counsel for the petitioners contends that there is inordinate delay in compliance compelling the petitioners to invoke the jurisdiction of this Court and even though this Court disposed of the W.P.No.26908 of 2013 on 29.11.2013 granting two (2) months' time, the respondents took more than one year to comply with the order and no explanation is forthcoming as to why the order was not complied within the time granted.

5. It is unfortunate that the mandate of the Courts is not adhered to by the respondents and the time limit fixed by the Court was never adhered nor they took steps to file petition seeking extension of time, if there are valid reasons for not complying the order of the Court within the time stipulated. This is also one such case. On account of the inordinate delay in depositing the amount as directed in L.A.O.P.No.841 of 2012, learned counsel for the petitioners contends, grave prejudice is caused.

6. Expressing displeasure of the manner in which the delay takes place in complying with the orders of the Court, but since the order passed by this Court in W.P.No.26908 of 2013, dated 29.11.2013, is complied, the Contempt Case is closed

leaving it open to the petitioners to work out their remedies against delay in depositing the amounts as per the award passed by the lower Court in L.A.O.P.No.841 of 2012 on 11.04.2013. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this contempt case shall stand closed.

RAO, J

P.NAVEEN

Date: 13th March, 2015

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CONTEMPT CASE No.1015 of 2014

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Date: 13th March, 2015

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