

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

CONTEMPT CASE NO.989 OF 2014

ORDER:

This contempt case arises out of an order passed on 28.02.2013 in W.P.No.5875 of 2013. It should be noted that the writ petition is still pending. But however, to secure some relief or the other to the petitioners in the writ petition, a detailed order has been passed by this Court on 28.02.2013 in W.P.No.5875 of 2013. At that stage, I felt that it is an eminently fit case for the State Government, the District Collector, Khammam District and the Sub-Collector, Bhadrachalam in consultation with Sri Seetaramaswamyvari Devasthanam at Bhadrachalam, must work out an acceptable package for offering a reasonable package and compensation to the petitioners. Now, the learned Government Pleader for Revenue has enclosed copy of the proceedings dated 25.09.2015 passed by the Revenue Divisional Officer, Bhadrachalam, to the counter affidavit sworn to by the said officer and filed into this Court on 07.11.2015. It is brought out in the course of the said order that as against the claim made by the petitioners namely Rs.15,000/- per sq.yard, the Committee has now worked out the rate of compensation to be offered at Rs.12,000/- per sq.yd. Learned counsel for the petitioners would urge that this is not in accordance with various principles enshrined for determining the compensation under the Land Acquisition Act. Such a question, in my opinion has to be addressed when W.P.No.5875 of 2013 is taken up for consideration. In a contempt jurisdiction, which is essentially a quasi criminal jurisdiction, such contentious issues cannot be resolved for the first time. Therefore, the parties are at liberty to urge and invite an appropriate finding from the Court which considers W.P.No.5875 of 2013.

But however, in my opinion, as at present advised, the order passed by the Revenue Divisional Officer, Bhadrachalam on 25.09.2015 appears to be an order passed in fair compliance of the orders passed by me on 28.02.2013. Therefore, while preserving the rights of the parties for inviting an appropriate finding in the pending writ petition W.P.No.5875 of 2013 and in view of payment of compensation now offered and which is liable to be paid to the petitioners immediately at the rate of

Rs.12,000/- per sq.yard, duly defraying the amount already paid-off, the contempt case stands disposed of.

Consequently, miscellaneous applications, pending if any, shall stand closed. No costs.

JUSTICE NOOTY RAMAMOHANA RAO

04.12.2015

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