

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

PRESENT

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

CONTEMPT CASE NO.821 OF 2015

DATED:28.4.2015

Between:

St. Elizabeth Convent (E.M.) School
Rep. by its H.M. & Correspondent
Sis. Laly

... Petitioner

And

K. Kumaraswamy

... Respondent

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

-
CONTEMPT CASE NO.821 OF 2015

ORDER: (per the Hon'ble The Chief Justice Sri Kalyan Jyoti Sengupta)

This contempt case is filed alleging deliberate violation of our order dated 19.2.2015, passed in W.P. No.33113 of 2014, whereby and whereunder we directed the Commissioner of the respondent Municipality to decide the matter and pass an appropriate order recording reasons. The order which has been passed by the Commissioner does not reflect any reason. Therefore, we think that instead of drawing contempt proceedings, we should give a chance to the Commissioner to carry out our order strictly in terms thereof without fail.

We therefore set aside the order passed by the Commissioner and direct him to re-hear the matter in terms of our earlier order and pass an appropriate order recording specific reasons, which are missing in his present order. This shall be done within a period of two months from the date of communication of this order.

The contempt case is accordingly disposed of. Pending miscellaneous petitions, if any, shall stand closed.

The costs of this application, assessed at Rs.1,000/- (Rupees one thousand only) have to be paid by the respondent - Municipality to the petitioner. The costs are awarded because of lapse of the Commissioner of the Municipality in not following our earlier order, for which the petitioner has been compelled to move again this Court.

K.J. SENGUPTA, CJ

SANJAY KUMAR, J

28.4.2015
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