

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

CONTEMPT CASE No.1021 OF 2015

Between:

Mrs.Nuzhat Zamani,
W/o late Mohd.Dasthagir,
H.No.21-1-98,
Chennur Road, Mancherial Town & Mandal,
Allahabad District.

... Petitioner

And

Dr.A.Ashok,
Presently working as Commissioner,
Chikkadpally, Hyderabad & 2 others.

... Respondents

DATE OF JUDGMENT PRONOUNCED: 31.07.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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|---|--|--------|
| 1 | Whether Reporters of Local newspapers may be allowed to see the Judgments? | Yes/No |
| 2 | Whether the copies of judgment may be marked to Law Reports/Journals | Yes/No |
| 3 | Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | Yes/No |

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THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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CONTEMPT CASE No.1021 of 2015

ORDER:

Contempt Case No.1021 of 2015 is filed in C.C.No.1618 of 2013

requesting this Court once again to punish respondents 1 to 3 for wilfully disobeying the order passed in W.P.No.11112 of 2013. This Court, by its order dated 10.04.2015, closed C.C.No.1618 of 2013 taking note of the submission urged on behalf of the respondent that the land assigned to the fourth respondent, and the land purchased by the petitioner were shown in the enclosed map; the assigned land, which the petitioner's husband had purchased, was different from the land allotted to the fourth respondent; and it was evident that the respondents had not violated the order of this Court.

While it is not free from doubt whether a Contempt Case can be entertained a second time, for violation of an order in the Writ Petition when the Contempt Case filed earlier, alleging violation of the very same order in the Writ Petition, was closed,

Sri P.Shiv Kumar, learned counsel for the petitioner, would rely on **Rama**

Narang v. Ramesh Narang and another^[1] to contend that such a Contempt Case is maintainable. It is unnecessary for this Court to delve on this aspect as the short controversy herein is whether the map shown by the Government officials correctly records the land of the fourth respondent and the petitioner. While the petitioners claim that the land, shown in the map in brown colour as belonging to the fourth respondent, in fact belongs to them, the official respondents contend otherwise and state that the petitioner's land is located in the middle of the map and is shown in purple colour, and the land shown in brown colour belongs to the fourth respondent.

Sri P.Shiv Kumar, learned counsel for the petitioner, would fairly state that no constructions have been raised in any part of these lands. The question whether the land shown in brown colour belongs to the petitioner or to the fourth respondent is extraneous to the order passed in the Writ Petition. This Court, while examining whether or not the petitioner was dispossessed in violation of the order passed in the Writ Petition, cannot, in summary proceedings under the Contempt of Courts Act, 1971, adjudicate whether the land shown in the map in brown colour belongs to

the petitioner or to the fourth respondent. These are all matters for adjudication in a civil suit filed before the Competent Civil Court. The observations made in the order passed in C.C.No.1618 of 2013 dated 10.04.2015 is for the limited purpose of considering whether or not the respondent should be proceeded against under the Contempt of Courts Act, and cannot be understood as an adjudication by this Court of the dispute regarding ownership of the land. I see no reason to undertake any such enquiry in contempt proceedings.

The Contempt Case is, accordingly, closed. Miscellaneous petitions pending, if any, shall also stand closed. There shall be no order as to costs.

RAMESH RANGANATHAN, J

31st July, 2015.

Note:

*Furnish C.C. of the order
by 03.08.2015.*

*B/o
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[\[1\]](#) (2009) 16 SCC 126