

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.420 of 2014

Dated : 23.01.2015

Between:

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Geda Muneswara Rao S/o.Satyanarayana,
Age : 55 yrs, R/o.Rajam Palem, Gopalpuram Mandal,
West Godavari District.

.. Petitioner

And

Siddhardh Jain,
The District Collector,
West Godavari District at Eluru & 2 others

.. Respondents

This Court made the following :

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ORDER :

This Court disposed of the writ petition recording the statement of the respondents that due process of Land Acquisition was followed to acquire the land of the petitioner and as the petitioner was not willing to receive the compensation determined, the matter was referred to the Civil Court under Section 31 of the Land Acquisition Act, 1894 and the amount was deposited in the Court by way of Demand Draft dated 25.06.2013.

2. This contempt case is filed alleging that the said order of this Court was violated and that a wrong statement was made that already the amount was deposited. Whereas the fact remains that no such amount was deposited.

3. In the counter affidavit filed on behalf of the 2nd respondent, it is stated that along with the reference application an amount of Rs.25,87,274/- payable as compensation was deposited by way of Demand Draft bearing No.391112 dated 25.06.2013 and the same fact was mentioned before this Court when the writ petition was taken up for consideration.

4. Later the respondents came to know that the Court has returned the Demand draft on the ground that the time of validity of the Demand draft has lapsed. This fact was informed to the respondents by the Assistant Government Pleader representing the State. Consequential steps were taken to submit a revised Demand draft and it was accordingly furnished to the Assistant Government Pleader and the Assistant Government Pleader vide his letter dated 14.06.2014 informed the respondents that the Demand Draft was deposited in the Court. Thus, fact remains that due process of land acquisition was followed and compensation payable to the petitioner when refused which was deposited in the Civil Court in accordance with Section 31 of the Land Acquisition Act, 1894.

5. Having regard to the above, I am of the opinion that there is no

disobedience of the orders passed by this Court. Accordingly, the Contempt Case is closed. It is needless to observe that the petitioner can always work out his remedies if he has grievance with regard to the nature of compensation determined and the procedure followed by the respondent-authorities. There shall be no order as to costs.

6. Miscellaneous petitions, if any, pending in this Contempt Case shall stand closed.

P.NAVEEN RAO,J

23rd January, 2015.
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