

HONOURABLE SRI JUSTICE P. NAVEEN RAO

CONTEMPT CASE No. 1520 of 2015

Date : 7-11-2015

Between :

Gulam Mohammed S/o Masthan Saheb,

R/o Kodangal village and mandal,

Mahaboobnagar district

Petitioner

And

Shankaraiah Goud,

Executive Officer, Panchayat Secretary I/C

Kodangal mandal, Mahaboobnagar district

Respondents

The Court made the following:

HONOURABLE SRI JUSTICE P. NAVEEN RAO

CONTEMPT CASE No. 1520 of 2015

ORDER:

This Court by order dated 11.6.2015 directed the respondent Gram Panchayat to pass orders on building permission application filed by the petitioner.

Learned counsel for petitioner submits that application of the petitioner for grant of building permission is pending since 24.11.2014 and since no orders were passed on such application within the stipulated time by Panchayat Raj Act and Rules made thereunder, it is deemed that building permission is granted. However, at the instance of the petitioner only direction was issued on 11.6.2015 and in turn thereof respondent Gram Panchayat passed order dated 14.8.2015 rejecting the application of the petitioner.

Counter affidavit is filed on behalf of Gram Panchayat, wherein it is stated that application of the petitioner for grant of building permission was rejected on 14.8.2015 and decision was communicated to the petitioner.

It is well settled that insofar as contempt case is concerned, disobedience of the order passed by the Court is the only issue and Court cannot go into the merits of the decision so taken pursuant to the directions of this Court and the same has to be independently assailed. Learned counsel for petitioner submitted that assailing the rejection order, petitioner has filed W P No. 26795 of 2015 and the same is pending consideration before this Court.

In the above circumstances, I am not inclined to proceed further in the contempt case and accordingly the same is closed. No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE:7.11.2015

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HONOURABLE SRI JUSTICE P. NAVEEN RAO

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