

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

CONTEMPT CASE NO.1169 OF 2015

DATED:24-7-2015

Between:

Pentapati Satyanarayana Murthy

... Petitioner

And

Pentapati Vijay Kumar

... Respondent

... Respondents

COUNSEL FOR THE PETITIONER: Mr. K. Sairama Murthy, for

Mr. K.V. Subrahmanya Narusu

COUNSEL FOR THE RESPONDENT: -

THE COURT MADE THE FOLLOWING:

ORDER:

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This contempt case is filed alleging wilful disobedience of order dt.12.2.2015 in A.S.M.P. No.2268 of 2014 in A.S. No.619 of 2014.

By the above-mentioned order this Court has modified the earlier interim order by confining the same to restraining the respondents therein from encumbering the plaint-A schedule properties to third parties. This Court has also made it clear that the respondents are entitled to enjoy the said property without any hindrance.

The petitioner has pleaded in this contempt case that the respondent has completely demolished the property.

On true construction of the order of this Court, I am of the opinion that the restraint placed on the respondents was on encumbering the plaint-A schedule properties to third parties. Indeed, the respondents were permitted to enjoy the property without any hindrance. Therefore, I am of the opinion that the demolition of the structures does not attract contempt.

Mr. K. Sairama Murthy, learned counsel for the petitioner, submitted that according to the information received from his client the respondent has even entered into an agreement of sale. If it is so, the petitioner is entitled to avail a fresh remedy in this regard. Subject to this liberty given to the petitioner, the contempt case is dismissed.

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C.V. NAGARJUNA REDDY, J

24-7-2015

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