

THE HON'BLE SRI JUSTICE K.C. BHANU

CONTEMPT CASE No.2108 OF 2014

ORDER:

This Contempt Case, under Sections 10 to 12 of Contempt of Courts Act, 1971, is filed to punish the respondents for deliberate disobedience of order, dated 30.11.2011, in W.P.No.28155 of 2011 passed by this Court.

2. This Court by order, dated 30.11.2011, disposed of the Writ Petition. Operative portion of the order reads as follows:

“Therefore, it is made clear that the petitioner shall not be evicted from the property in question, except in accordance with law. However, the respondents are at liberty to demolish the structures if they are made in contravention of the approved building plan, after giving notice to the petitioner.”

3. Learned counsel for the petitioner contended that no notice as contemplated under the Greater Hyderabad Municipal Corporation Act, 1955 was given before demolishing the structures in question and hence he prays to admit the Contempt Case.

4. On the other hand, learned Standing Counsel for Greater Hyderabad Municipal Corporation contended that when the petitioner refused to receive the notice, the respondents have affixed the notice to the wall of the building in question and thereafter demolished the structures in question and hence, he prays to dismiss the Contempt Case.

5. Petitioner has not filed the approved sanctioned plan for construction of the building in question. In view of the fact that the petitioner refused to receive the notice, the respondents have rightly demolished the structures in question. As the respondents have complied with the direction of the Court, there is no wilful disobedience

of order passed by this Court.

6. Accordingly, the Contempt Case is dismissed. There shall be no order as to costs. Miscellaneous petitions, if any, pending in this Contempt Case shall stand closed.

JUSTICE K.C. BHANU

JULY 07, 2015
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DATE: 07.07.2015

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