

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

Contempt Case No.635 OF 2015

ORDER :

Heard learned counsel for the petitioner and Sri N.Praveen Kumar, learned Standing Counsel for the respondent.

This Court passed interim orders on 26.02.2015 in W.P.No.4665 of 2015 as follows:

“Sri D.Bhasker Reddy takes notice for the 2nd respondent and seeks time for getting instructions.

The grievance of the petitioner is that the 3rd respondent is raising constructions by encroaching an extent of Ac.0.04 guntas of land which is facing towards the public road. On his complaint, the 2nd respondent issued a notice dated 04.02.2015 to the 3rd respondent directing him to stop the constructions. In spite of the same, the 3rd respondent is raising constructions.

In view of the same, the 2nd respondent is to ensure that the 3rd respondent is not carrying on the constructions and other activities in subject land which is part of proceedings dated 04.02.2015.

Post after two weeks in motion list.”

When the respondent is not obeying the orders passed by this Court on 26.02.2015, the present Contempt Case is filed.

2. Counter affidavit is filed by the respondent denying the averments in the affidavit filed in support of the Contempt Case and also filed additional counter affidavit wherein in 6th paragraph, it is stated as follows:

“6. I respectfully submit that along with the police bandobasth and our staff went to demolish the illegally erected door made by the 3rd respondent. But the door was locked and we came to know from neighbors that it was locked for many days and we affixed the notice on the door of the respondent No.3 in the Writ Petition about our visit to demolish the structure. It is further submitted that having waited for couple of months for the arrival of the Respondent No.3, our office by conducting Panchanama on 31.12.2015 has removed the illegally erected door which was erected after passing the orders in W.P.No.4665 of 2015, dated 26.02.2015. The delay which was occurred in implementing the order's of this Hon'ble court is neither wilful nor wanton. I have utmost respect

towards this Hon'ble Court."

In view of the averments in the additional counter affidavit at 6th paragraph, I do not see any reason to proceed with the Contempt Case.

Accordingly, this Contempt Case is closed. As a sequel thereto, miscellaneous petitions, if any, pending in this writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

29.07.2016

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HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

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