

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

CONTEMPT CASE NO.832 OF 2014

ORDER:

Neither is the petitioner present nor is there any representation on his behalf. Heard Sri K.Vivek Reddy, learned counsel for the respondent. The order, violation of which is alleged in the present Contempt Case, is the order passed in WP.MP.No.15692 of 2014 in W.P.No.12495 of 2014 dated 29.04.2014.

The aforesaid order records the submission of the learned Government Pleader that, while there were no buildings on the said site other than a Dhobhighat in existence, the petitioners were in possession of the subject land. This Court directed the respondents not to evict the petitioners from the subject land except in accordance with law, that too after putting the petitioners on notice and giving them an opportunity of being heard.

While the petitioners allege that they were sought to be dispossessed from the subject land by the respondents, a counter affidavit is filed by the Chief General Manager and Chief Engineer, Hyderabad Metro Rail that, after receipt of the order of the High Court dated 29.04.2014, the respondents had stopped the work (formation of approach road to the river bed of Musi to conduct soil testing through the disputed site); it was incorrect to state that they are proceeding with the work; and they have not violated the order of this Court, and were only following the process of law.

Sri K.Vivek Reddy, learned counsel, would submit that, after the Contempt Case was filed, GHMC had entered into negotiations with the persons in possession of the land, including the petitioners herein; they were paid *ex gratia*, and thereafter the GHMC had taken possession of the land in accordance with law, and had handed it over to Hyderabad Metro Rail for construction of the Metro Rail Corridor.

No reply affidavit is filed. The averments in the counter affidavits and the submissions made by Sri K.Vivek Reddy, learned counsel, do show that the order of this Court has not been violated, much less wilfully

and deliberately. I see no reason, therefore, to proceed against the respondents under the Contempt of Courts Act, 1971.

The Contempt Case is, accordingly, closed.

-

(RAMESH RANGANATHAN, J)

26th February 2016

RRB