

THE HON'BLE SRI JUSTICE S.V.BHATT

CONTEMPT CASE No.1255 of 2016

ORDER:

The contempt case is filed complaining disobedience of order dated 14.08.2012 in WP.No.20984 of 2012. The operative portion of the order in WP.No.20984 of 2012 reads as follows:

“Hence, the Writ Petition is disposed of directing the Mandal Revenue Officer, Madakasira Mandal, 4th respondent herein, to examine the Pattadar Passbook and title deeds issued to the petitioner with the relevant records and take corrective steps duly issuing notice to the effected parties. This exercise shall be completed within a period of two (2) months from today.”

2. The allegations in the affidavit filed in the contempt case are that notice dated 23.05.2015 is issued to the respondent-contemnor, still the respondent is not moving in the matter as directed by this Court.

3. Notice was ordered. The respondent filed counter affidavit. *Prima facie*, it appears the petitioner is avoiding completion of enquiry and taking decision as directed by this Court. The counter affidavit refers to various notices issued, date of enquiry scheduled and the non-cooperation of petitioner.

4. The Court is concerned with the disobedience, if any, by respondent in implementing the order in WP.No.20984 of 2012. The petitioner, having not attended the enquiry scheduled by respondent, cannot turn round and complain against the respondent. The contempt case is misconceived and liable to be dismissed.

The petitioner, if, submits representation to respondent for fixing a date within three (3) weeks from today and on receipt of such representation, to ensure completion of enquiry already initiated, the respondent fixes a date and does the needful within six (6) weeks

thereafter.

With the above observation, the contempt case is dismissed.

As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

S. V. BHATT, J

August 22, 2016
DSK