

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Contempt Case No.417 of 2016

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Date: 24.06.2016

Between:

Sardar Haricharan Singh

.. Petitioner

and

Hemgi Jadhav
Commissioner
Karimnagar Municipal Corporation
Karimnagar District

.. Respondents

**Counsel for the petitioner :
Sanisetty**

Mr.Venkateswarlu

**Counsel for the respondent:
Kumar,**

Mr.S.Sharat

Spl.G.P. (TS)

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The Court made the following:

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Order : (Per Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This Contempt Case is filed alleging willful disobedience of Order, dated 16-11-2015, in WP.No.37102 of 2015, by the respondent.

The petitioner in the above-mentioned Writ Petition filed this Contempt Case alleging that in spite of the direction issued by this Court to the respondent to consider and dispose of the representation stated to have been made by the petitioner on 09-10-2015 for payment of compensation in respect of a part of his house, which was allegedly demolished in the road widening, no decision was taken by the respondent and that thereby, he has willfully and deliberately violated the order of this Court.

This Court has admitted the Contempt Case on 11-03-2016 and in pursuance of Form-I notice, the respondent has been present in the Court on 22-04-2016, 10-06-2016 and also today. He has also filed a counter-affidavit wherein he has stated that in compliance with the direction of this Court, he has examined the representation of the petitioner and found that there is discrepancy in the width of the road among the documents

produced by the petitioner at various stages. He has further stated that upon considering the documents produced by the petitioner, he has passed a reasoned order *vide* letter No.G2/ /2016, dated 20-06-2016, wherein the petitioner's request for payment of compensation was rejected as he was satisfied that there is no loss of property as per those documents.

Mr.Venkateswarlu Sanisetty, learned Counsel for the petitioner, submitted that the conclusion arrived at by the respondent is not based on proper appreciation of the contents of the documents produced by his client.

As this Court has only directed the respondent to consider the representation received by him and take appropriate decision, the correctness or otherwise of the decision taken by the respondent is not amenable to enquiry in the present Contempt Case. Therefore, it is not permissible for the petitioner to assail the correctness or otherwise of the said order in the present Contempt Case. As the respondent has complied with the order of this Court by passing

appropriate order, he is not liable for being proceeded further in the contempt proceedings.

Accordingly, the Contempt Case is closed and the respondent is discharged from the contempt proceedings, however, with liberty to the petitioner to avail appropriate legal remedy, if he feels aggrieved by Order, dated 20-06-2016.

(C.V.Nagarjuna Reddy, J)

Dt: 24th June, 2016
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