

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B.BHOSALE
AND**

HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.2410 of 2015

Date: 22.02.2016

Between:

Sri Mohd. Abdul Qader @ Shafath,
S/o Mohammed Wajihuddin Saheb,
Aged about 40 years, Occu:Law Student,
R/o 1-9-280, Adikmet, Vidyanagar,
Hyderabad and another.

..... Petitioners

and

Sri /Smt. Rahul Bajja, the Collector,
Hyderabad District, Nampally, Hyderabad
and others

.....Respondents

The Court made the following:

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND**

HON'BLE SRI JUSTICE P. NAVEEN RAO

CONTEMPT CASE No.2410 of 2015

PC: (Per the Hon'ble Sri Justice P.Naveen Rao)

This Contempt Case is filed alleging that direction issued by this Court on 16.11.2015 in PIL No.339 of 2015 is violated.

2. This Court made the following order on 16.11.2015 :

“Respondent Nos.6 and 7 are directed to stop construction of their shop forthwith. Respondent Nos.2 to 4 are directed to ensure that no construction is raised by respondent Nos.6 and 7 or any other person, if the construction is in contravention of the provisions of Ancient Monuments and Archeological Sites Remains Act, 1958.”

3. On behalf of the respondents 2 to 4, counter-affidavit is filed. It is asserted that on receipt of the orders of this Court, officials of respondents 2 to 4 have inspected the site and found some repair work was going on at the site. The respondents 2 to 4 stopped the said repair work and also issued notice/speaking order dated 20.11.2015 to respondent no.6 in compliance of the orders of this Court and directed him not to proceed with any kind of construction/repair work. It is further asserted that in the reply filed by the respondent no.6 dated 24.11.2015, he has categorically stated that no new construction work is taken up and that he made small repairs in order to strengthen the building as structures were in dilapidated condition and after he came to know of the order of this Court, he stopped the work and promised that he would not undertake any construction/repair work. It is further asserted that the officials of the respondents 2 to 4 have been inspecting the site from time to time to ensure that 6th respondent does not undertake any further construction/repairing activity.

4. Having regard to the categorical assertion of the respondents 2 to 4, we see no reason to proceed in the matter under the Contempt of

Courts Act, 1971 and Contempt Case is accordingly closed.

Miscellaneous petitions if any pending shall stand closed.

DILIP B. BHOSALE, ACJ

P.NAVEEN RAO, J

Date: 22.02.2016

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