

HONOURABLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.2117 OF 2015

Date: 24.06.2016

Between:

B.Ashok Kumar S/o late B.Jayram,
Aged about 60 years, Occu: Retd. Govt.Servant,
R/o H.No.21-2-761/2, Charkaman, Rikab Gunj,
Hyderabad.

.. Petitioner

AND

Sri Somesh Kumar, I.A.S.,
Commissioner & Special Officer,
the Greater Hyderabad Municipal Corporation,
Near Tank Bund, Hyderabad and another.

.. Respondents

This Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.2117 OF 2015

ORDER:

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This Court disposed of W.P.No.27561 of 2015 dated 31.08.2015 based on the submissions made on behalf of the respondent – Municipal Corporation that Corporation has already issued notice under Sections 452(1) and 461(1) of the Greater Hyderabad Municipal Corporation Act, 1955 against illegal constructions made and directed the respondents to take further course of action as warranted by law by duly observing the procedural formalities and take appropriate action within the fixed time frame.

2. Alleging that orders of this Court were not complied with and illegal constructions continued unabated, this contempt case is filed.

3. In the counter affidavit filed on behalf of the respondents, it is averred that notice under Section 636 was issued on 14.09.2015 and Corporation thereafter fixed the demolition programme, but demolition programme was postponed in view of 'Ganesh Nimajjanam' as suggested by police and the same was intimated to the petitioner and his counsel. However, by the time further action could be taken by the Corporation, M/s. Leela Bai Motilal Tondawale Girls High School claiming to be the tenants of the subject property, instituted O.S.No.2588 of 2015 on the file of VI Junior Civil Judge, City Civil Courts, Hyderabad and obtained order of *status quo* in I.A.No.835 of 2015 in the said O.S. In view of the operation of *status quo* order, no further action could be taken.

4. Having regard to the same, it cannot be said that respondents have deliberately violated the orders of this Court. Contempt Case is closed accordingly. However, it is open to the petitioner to implead in the pending suit.

Miscellaneous petitions if any pending in this contempt case shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 24.06.2016
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Oval:

HON'BLE SRI JUSTICE P.NAVEEN RAO

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