

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

CONTEMPT CASE No.1778 of 2016

ORDER:

This Contempt Case is filed for non-compliance of interim order dated 24.02.2015, passed by this Court while disposing of the Writ Petition directing the respondents to pass orders in appeal within six weeks from the date of order and till such time the 2nd respondent passes an order, *status quo* was directed to be maintained with respect to the possession.

A counter affidavit has been filed by the respondent-contemnor specifically stating at para-7 of the counter as follows:

“It is submitted that the petitioner got issued a legal notice dt.22.08.2015 stating that I am not allowing the petitioner to cultivate the land. I have no role in the matter of permitting the petitioner to cultivate the land by the petitioner. It is pertinent to note from the allegations in the notice that one Mr. Dhamerla Mohan Rao and others are trying to encroach the land and that I have failed to take any action despite orders of this Status Quo. The question of permitting the petitioner to cultivate the land by me does not arise and no contempt can be alleged towards me on the said ground. I am not aware of the levelled alleged encroachment by Sri Dhamerla Mohan Rao.”

In the light of the above no contempt would lie against the respondent-contemnor and accordingly, contempt case is closed. Petitioner shall be at liberty to take action against the private respondent, who is alleged to be interfering with his possession, in accordance with the civil law. There shall be no order as to costs.

Consequently, Miscellaneous Petitions pending, if any, shall also stand closed.

CHALLA KODANDA RAM, J.

Date:30.06.2017
Ssv