

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

CONTEMPT CASE NO.605 OF 2017

DATED:17-11-2017

Between:

S. Rajender Singh

... Petitioner

And

Shashanka

Commissioner

Karimnagar Municipal Corporation

Karimnagar

... Respondent

COUNSEL FOR THE PETITIONER: Mr. P. Satyanarayana
Murthy, for
S. Ravinder Reddy

COUNSEL FOR THE RESPONDENT: Mr. S. Sarath Kumar,
for Mr. V. Satyam
Reddy

THE COURT MADE THE FOLLOWING:

ORDER:

This Contempt Case is filed alleging wilful disobedience of order dt.10.12.2015 in W.P. No.35457 of 2015.

Apart from filing a counter affidavit, the respondent has filed an additional counter affidavit sworn to on 13.11.2017 wherein he has stated that after excluding the property claimed by the petitioner which falls within 80 feet PWD road, the rest of the property was valued and a sum of Rs.6,35,598/- was fixed as compensation along with solatium and interest at 12% per annum.

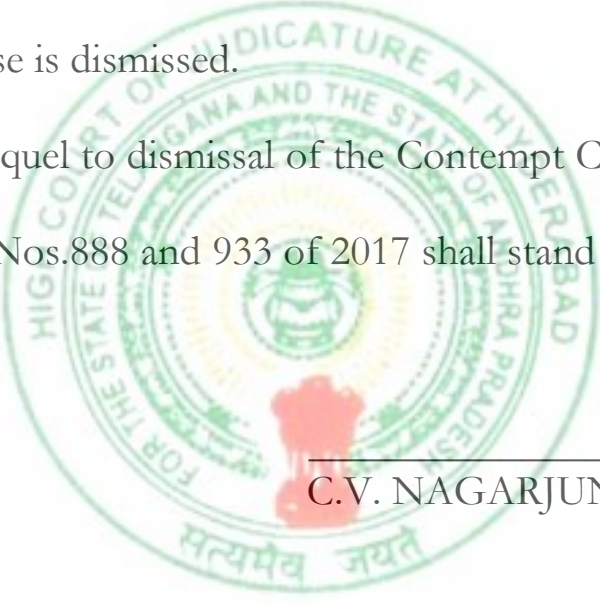
Mr. P. Satyanarayna Murthy, learned counsel representing Mr. S. Ravinder Reddy, learned counsel for the petitioner, submitted that the determination of compensation by the respondent is improper and unsustainable.

While disposing of the writ petition, this Court observed that in the absence of any counter affidavit, the plea of the petitioner that the State has acquired the property and compensation has not been paid, deserves to be accepted. The question whether the petitioner has encroached the public road and raised structures thereon and, if not, to what extent of the property owned by the petitioner was utilized by the State for widening of the road, have not been adjudicated in the writ

petition. These aspects therefore need to be decided in a properly instituted legal proceeding. As the respondent has determined the compensation albeit belatedly, order dt.10.12.2015 in W.P. No.35457 of 2015 stood complied with. If the petitioner feels aggrieved by the order passed by the respondent, he shall be free to avail appropriate legal remedy available to him under law.

Subject to the liberty given to the petitioner, as above, the contempt case is dismissed.

As a sequel to dismissal of the Contempt Case, Contempt Application Nos.888 and 933 of 2017 shall stand disposed of as infructuous.



C.V. NAGARJUNA REDDY, J

17-11-2017

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