

THE HON'BLE SRI JUSTICE SANJAY KUMAR

CONTEMPT CASE No.984 of 2016

ORDER:

This contempt case was instituted alleging willful disobedience to the order dated 15.03.2016 passed by this Court in W.P.No.37098 of 2015.

Perusal of the said order reflects that this Court merely directed the authority concerned in the Greater Hyderabad Municipal Corporation to apply its mind to the petitioner's representations dated 24.09.2015, 12.10.2015, 19.10.2015 and 02.11.2015 and take action thereon, if warranted, in accordance with the due procedure. This Court also made it clear that in the exercise, the authorities would necessarily have to give an opportunity of hearing to all the parties who would be affected by any decision taken upon the petitioner's representations.

The complaint before this Court in the present contempt case is that the authorities of the Greater Hyderabad Municipal Corporation failed to take necessary action in terms of the aforestated order on the petitioner's representations.

During the pendency of this contempt case, it appears that steps were taken by the Greater Hyderabad Municipal Corporation to demolish part of the structures raised by the fifth respondent in the writ petition on the ground that they were illegal. While so, the fifth respondent in the writ petition independently filed W.P.No.41057 of 2017 and by order dated 07.12.2017, a learned Judge of this Court directed the Corporation not to undertake any further demolition of the property of the petitioner therein, the fifth respondent in W.P.No.37098 of 2015, for a period of three weeks.

In the light of the aforesaid developments, as all the issues are now under consideration of this Court in W.P.No.41057 of 2017, this contempt case no longer survives for consideration on merits. That apart, as this Court already directed the Greater Hyderabad Municipal Corporation not to undertake any further demolition in relation to the subject property by way of an interim order in W.P.No.41057 of 2017, the petitioner herein can no longer complain of deliberate inaction on the part of the Corporation in doing so. It is left open to the petitioner to work out her remedies in accordance with law.

Subject to the above observation, the contempt case is closed. No order as to costs.

15th December, 2017
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JUSTICE SANJAY KUMAR