

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

CC.No.486 of 2017

ORDER :

This Contempt Case is filed alleging willful disobedience of the order dt.29.09.2016 in WP.No.31749 of 2016.

2. In the said order, this Court set aside the order dt.03.09.2016 of the respondent, and directed him to re-consider petitioner's application for building permission within four weeks from the date of receipt of copy of the order.

3. However, only on 15.04.2017, the respondent passed orders rejecting petitioner's building application.

4. The counsel for petitioner contends that not only is the rejection order bad in law, but no valid reason is given for the delay in passing the order.

5. Sri P. Krishna Reddy, counsel for respondent, states that the respondent has tendered unconditional apology for the delay in passing the order, and the respondent be therefore be exonerated in the Contempt Case. He also contended that petitioner can always challenge the order refusing permission passed by the respondent.

6. After considering the submissions of both sides, I am of the opinion that in view of the unconditional apology tendered by the respondent, it is not a fit case to punish the respondent for Contempt

of Court though there is some delay in implementing the Court's order.

7. Since the petitioner can always assail the fresh order dt.15.04.2017 passed by the respondent, granting liberty to the petitioner to avail himself of the said remedy as per Law, the Contempt Case is closed. No order as to costs.

8. As a sequel, miscellaneous petitions pending if any in this Contempt Case, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 27-10-2017

Ndr/*

