

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

AND

THE HON'BLE SMT. JUSTICE T.RAJANI

C.C.No. 1844 OF 2017

DATED 30TH NOVEMBER, 2017

Between:

Bandi Raghava Reddy and another Petitioners

AND

M.L.Narasimham Respondent

Counsel for the petitioners : Sri K.Venugopal Reddy

Counsel for the respondent : Special Government Pleader (A.P.)

THE COURT MADE THE FOLLOWING

JUDGMENT: (*per Hon'ble Sri Justice C.V.Nagarjuna Reddy*)

This contempt case is filed alleging willful disobedience of order dated 13-02-2017 in LAASMPNo. 825 of 2016 in LAASNo. 62 of 2015.

2. By the aforementioned order, the respondent is directed to deposit 20% of the enhanced compensation in respect of Ac. 5.75 cents in survey Nos. 7, 9 and 11. In our opinion, when a conditional order passed in civil appeal is not complied with, the same would not *ipso facto* constitute contempt. The consequence of such non compliance of order would expose the appellant to the risk of stay being vacated.

3. In this view of the matter, we do not find any merit in this contempt case. The contempt case is accordingly dismissed, however, with liberty to the petitioners to move appropriate application seeking vacation of the stay on the ground of non-compliance of the conditional order.

4. As a sequel to dismissal of the contempt case, C.A.No. 826 of 2017 shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J.

30-11-2017.

JSK

T.RAJANI, J.