

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

CONTEMPT CASE NO.2170 OF 2016

DATED:08-12-2017

Between:

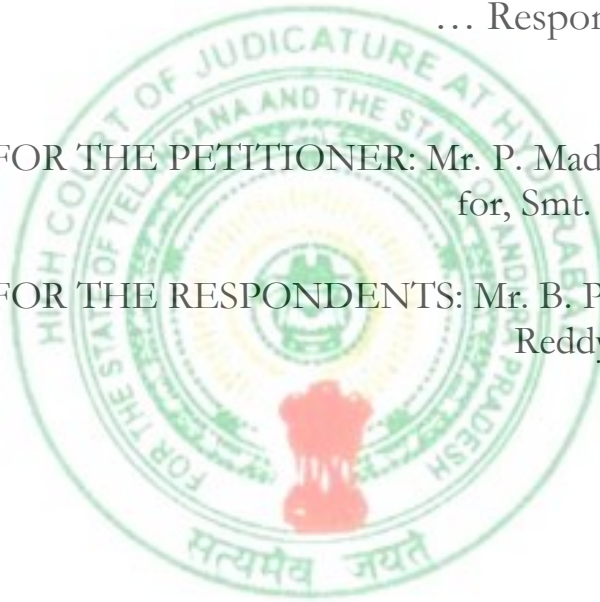
C. Narasimha Murthy ... Petitioner

And

Govindappa
and another ... Respondents

COUNSEL FOR THE PETITIONER: Mr. P. Madhusudan Rao,
for, Smt. K. Leela Reddy

COUNSEL FOR THE RESPONDENTS: Mr. B. Purushothama
Reddy



THE COURT MADE THE FOLLOWING:

ORDER:

This contempt case is filed alleging wilful disobedience of order dt.03.02.2016 in W.P. No.3118 of 2016.

The grievance of the petitioner is that respondent No.2 without considering the representation of the petitioner passed an order on 08.10.2016 and demolished the structure on 09.10.2016 without even giving the petitioner an opportunity of availing appropriate remedies.

As this Court *prima facie* felt that the respondents have not implemented the order in the writ petition in its letter and spirit, they were directed to be present and in order to give them an opportunity of purging the contempt, they were directed to restore the building to its original position.

The case underwent several adjournments, as there is a dispute as to whether the respondents have restored the building to its original position as directed by this Court. Today, at the hearing, learned counsel for the respondents - contemnors has produced photographs based on which he submitted that the building has been restored to its original position. The learned counsel for the petitioner, however, denied this submission and submitted that restoration work on the first floor of the building has not been undertaken. The

learned counsel for the respondents denied the claim of the learned counsel for the petitioner that the structure on the first floor was demolished. In view of this disputed question, this Court is not inclined to advert to this aspect. As this Court is convinced that the respondents have taken steps to bring the ground-floor of the building to its original position at their own expenses, they have purged the contempt, if any, committed by them.

Hence, the contempt case is closed and the contemnors are discharged from the contempt proceedings. However, the petitioner is permitted to question the order passed by respondent No.2 against his interests by availing appropriate legal remedies.

C.V. NAGARJUNA REDDY, J

08-12-2017

bnr