

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.399 of 2017

Dated : 1.09.2017

Between:

G Venkata Somaraju S/o Satyanarayana Raju
42 years
R/o 1-60-34/1, Anjaiah Nagar,
Gachibowli, Serilingampally mandal
R R District

..

Petitioners

And

Sri Suresh Rao
Dy Commissioner, Municipal, GHMC,
Serilingampally Municipality, Hyderabad and another

The Union of India, rep. by its Deputy Secretary,
Road Transport and Highways, New Delhi
and others

..

Respondents



This Court made the following :

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ORAL ORDER:

This Court disposed of W.P. No. 13840 of 2016 by order dated 26.12.2016. The operative portion of said order reads as under:

“7. Following the order of the Division Bench, the respondent- Municipal Corporation is directed to consider the regularization application submitted by 5th respondent as expeditiously as possible, preferably within a period of six (6) weeks, from the date of receipt of copy of this order. After considering the regularization application of the 5th respondent, appropriate action shall be taken on the allegation of illegal constructions made by the 5th respondent, by following the due process of law.”

2. Alleging inaction in complying with the said directions, this contempt case is filed.

3. Additional counter affidavit filed on behalf of the respondent corporation.

4. Learned standing counsel for respondent corporation states that earlier action was taken against the unofficial respondent in the writ petition and his BRS application was rejected on 9.6.2017, however, same was set aside by this Court by orders dated 7.7.2017 in W P No. 22265 of 2017. Thereafter, further orders are passed and same were again challenged in W.P No. 25477 of 2017. This Court while disposing of the said writ petition observed that since appeal is filed by the unofficial respondents in the instant writ petition and same is pending consideration before the Government, directed the third respondent to pass orders on the appeal preferred by unofficial respondent on 29.7.2017 and till the said appeal is decided not to take coercive action against subject premises.

5. In view of the above, it cannot be said that there is deliberate and wilful inaction on the part of the respondents in complying with the

orders of this Court warranting initiation of proceedings under Contempt of Courts Act. Accordingly, contempt case is closed, leaving it open to the petitioner to work out his remedies after a decision is made or any further violation is noticed by the petitioner. No costs.

P NAVEEN RAO,J

DATE:01-09-2017
TVK



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