

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**CONTEMPT CASE No.1979 of 2016**

**ORDER:**

This contempt case is filed alleging the willful disobedience of the order dated 17.06.2016, passed by this Court in W.P.No.19067 of 2016.

While disposing of W.P.No.19067 of 2016, after considering the submission made by the petitioner at the admission stage, directed that the respondents shall not interfere with the property of the petitioner without following the due procedure established by law.

Now the Contempt Case is filed stating that in spite of the orders of this Court, the road was formed over the petitioner's site, thereby flouted the orders of this Court.

A counter affidavit has been filed by the respondent categorically asserting that the Panchayat Secretary is nothing to do with the formation of the road and it is in fact the Engineering Department, Panchayat Raj, who had completed the work by laying Cement Concrete Road over the existing road by virtue of the funds made available under the M.P. LADS scheme, vide the District Collector's Proceedings dated 20.01.2016. As a matter of fact, a sum of Rs.5,00,000/- was sanctioned to lay the Cement Concrete Road from Sai Baba Temple to Alla Venkata Subbaiah House.

There is no reply affidavit filed to the counter affidavit.

Heard both the learned counsel.

As specifically refuting that it is only Cement Concrete has been done over the existing road, and as the Writ Petition itself came to be disposed of at the admission stage, there being no material at this point of time for this court to come to a conclusion

that, as a matter of fact, whether the petitioner's land was affected in any manner in laying of the C.C. road, this Contempt Case is closed, leaving it open to the petitioner to claim compensation if his land has been in any way utilized or affected on account of laying of the Cement Concrete road. There shall be no order as to costs.

Miscellaneous Petitions pending, if any, shall also stand closed.

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**CHALLA KODANDA RAM, J.**

Date:22.08.2017.  
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