

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

CONTEMPT CASE No.118 OF 2018

ORDER:

The contempt case is filed alleging violation of the order dated 21.01.2017, passed by this Court in WP.No.42138 of 2016, wherein this Court directed the 3rd respondent therein to pass final orders, if not already passed, after giving opportunity to the petitioner and also granted *Status quo* till such time.

Learned counsel for the petitioner submits that in pursuance of the aforesaid order the respondents did not pass any final order, but they have served order dated 28.07.2016 on the petitioner on 29.01.2018.

On the other hand learned Special Government Pleader appearing for the respondent submits that even before the writ petition is disposed of, the respondents passed order dated 28.07.2016, but, the same was not communicated to the petitioner by the respondent's predecessor-in-office, as such, the respondent communicated the same on 29.01.2018.

In this case it is to be seen that the affidavit filed in support of the Contempt Case is vague. It does not specify what is the violation committed by the respondent. The respondent has explained the same in the counter affidavit stating that his predecessor-in-office has already passed order dated 28.07.2016 resuming the subject land in favour of the Government for violation

of conditions of assignment; and the said order was served on the petitioner on 29.01.2018. Without making specific allegation in the contempt affidavit as to what is the nature of violation committed by the respondent, Contempt Case is filed. On such vague affidavit it is not possible to come to a conclusion what is the violation committed by respondents. Petitioner is unable to establish that respondent wilfully violated the orders passed by this Court. In view of the same, I do not see any violation of the order passed by this Court. However, since the order dated 28.07.2016 is already communicated to the petitioner, it is open for the petitioner to challenge the same.

Accordingly, the Contempt Case is dismissed. No order as to costs.

As a sequel thereto, miscellaneous applications, if any, pending in the contempt case, shall stand closed.

A.RAJASHEKER REDDY, J

26.02.2018

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