

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

and

The Hon'ble Sri Justice D.V.S.S.Somayajulu

C.C. No.127 of 2018

Dated 28.03.2018

Between:

Hyderabad Potteries Pvt. Ltd.,
Regd. Office at 365A, Bakaram,
Hyderabad, rep. by its Chairman and
Managing Director- Sunil Siddamshetty

... Petitioner

and

Smt.Katta Sujatha Reddy and another

...Respondents

Counsel for the Petitioner:

**Mr.L.Ravichander, Sr.Counsel
for Mr.N.Praveen Reddy**

Counsel for the respondents:

**Mr.S.Niranjan Reddy, Sr.Counsel
for Mr.Sampath Prabhakar Reddy**

The Court made the following:

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

This Contempt Case is filed alleging willful disobedience of Order, dated 01-03-2011, in ASMP.No.2669 of 2010 in AS.No.998 of 2010, by the respondents.

We have heard Mr.L.Ravi Chander, learned Senior Counsel appearing for Mr.N.Praveen Reddy, learned Counsel for the petitioner, and Mr.S.Niranjan Reddy, learned Senior Counsel appearing for Mr.Sampath Prabhakar Reddy, learned Counsel for the respondents.

The primordium of the petitioner's case is that though by the aforementioned interim order, this Court has restrained the respondents from alienating the suit schedule property, they have entered into an agreement of sale in respect of the said property on 05-12-2017 and that thereby, they have deliberately violated the order of this Court.

In our opinion, an agreement of sale does not convey any interest in the property and consequently, the same does not amount to alienation. This view of ours stands fortified by a Judgment of the Supreme Court in **Balwant Vithal Kadam vs. Sunil Baburaoi Kadam**¹ wherein it was held that an agreement of sale does not fall within the definition

¹ (2018) 2 Supreme Court Cases 82

of 'Transfer' under Section 48(d) of the Maharashtra Cooperative Societies Act, 1960.

In the above view of the matter, we do not find any merit in this Contempt Case and the same is, accordingly, dismissed.

As a sequel, IA.No.1 of 2018, filed for interim relief, and IA.No.3 of 2018, filed for amendment of cause title, are dismissed as infructuous.

(C.V.Nagarjuna Reddy, J)

(D.V.S.S.Somayajulu, J)

Date: 28-03-2018
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