

HON'BLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE NO.662 OF 2017

DATE: 06.04.2018

Between :

Mohd.Akheel s/o. late Mohd.Omer, Aged 61 years,
Occu: Private Service, R/o. H.No.16-8-591 (H.No.185/A),
Malakpet, Hyderabad.

.... Petitioner

and

Sri Mahender, Assistant City Planner, Town Planning
Section, Circle-IV, Greater Hyderabad Municipal
Corporation, Sardarmahal, Charminar, Hyderabad
and others.

.... Respondents



The Court made the following:

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ORDER :

Having regard to the statement made by learned standing counsel that house number mentioned by petitioner with reference to illegal construction undertaken by respondents 5 and 6 could not be located, Writ Petition No.45600 of 2016 is disposed of. Liberty was granted to petitioner to make a representation to the Assistant City Planner by giving all the particulars of illegal construction undertaken by respondents 5 & 6 and on filing such representation, 4th respondent should examine the issue and if he would come to *prima facie* conclusion that allegation made by petitioner is having some basis, he should cause show-cause notice upon the respondents and to take further course of action. Alleging violation of said directions, this Contempt Case is filed.

2. During the course of proceedings, this Court noticed discrepancy in the statement made by the respondents. Court noticed earlier that respondents stated that the property could not be located and subsequently it appears house number was already assigned and building permission was granted. Court directed the respondents to satisfy as to how this inconsistency arose. Earlier affidavit filed does not give proper explanation and, therefore, contemnor was directed to appear today. Contemnor is present and filed additional affidavit explaining that though house number was assigned, there was difficulty in location of property as owners do not display the house numbers and, therefore, petitioner was asked to assist and as per the assistance given by petitioner, property was identified. On further verification of record, it was

noticed that building permission was already granted. The deponent further states that on the allegation of petitioner that unofficial respondents are undertaking construction in deviation of building permission and occupied the road margin issue was examined and found that there is no deviation and there is no encroachment of road margin. Accordingly, reply was also furnished to petitioner. Taking note of the averments made in the affidavit, contemnor is discharged. Contempt Case is closed.

Miscellaneous petitions if any pending shall stand closed.

No costs.

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kkm

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