

THE HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

Contempt Case No.578 of 2018

ORDER :

The petitioner is the writ petitioner in W.P.No.2847 of 2018 which was disposed of by order of this Court, dt.31.01.2018. The operative portion of the order reads as “*As no one can take law into hands except through due process of law, if at all the respondents to evict the petitioner, if not entitled to continue in the property, and the respondents shall follow due process of law.*” It is the averment in the Contempt Petition that subsequent to the Writ Petition order, on 26.02.2018, the respondents again came to the property and tried to demolish the dwelling house of the petitioner without following due process of law. The counter affidavit of the 2nd respondent-Zonal Commissioner particularly from para-4 is that the allegation is false and after disposal of the Writ Petition supra, they received order copy on 28.02.2018 and while contemplating to initiate the proceedings according to due process of law pursuant to the terms therein, meantime issued contempt notice falsely alleging as if on 26.02.2018 they tried to demolish but they never made any demolition of abode of the petitioner.

The reply averment is reiterating the Contempt Petition averments and nothing new much less any third party affidavit to give any credence and among the photos filed in the material papers at pages 18 and 19, there is nothing to show any demolition even attempted much less of any municipal staff.

Having regard to the above, the Contempt Petition is closed for nothing to show any Contempt of Court committed by the respondents. Pending miscellaneous petitions, if any, shall stand closed.

Dr. B. SIVA SANKARA RAO J,

Date:26.10.2018
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