

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

CONTEMPT CASE No.901 OF 2017

ORDER:

This contempt case is filed alleging violation of the order dated 15.09.2016 passed by this Court in WP.No.30893 of 2016 wherein this Court granted *Status quo*, which was extended on 30.10.2016 until further orders.

Basing on the contents in the affidavit in support of the contempt case, learned counsel for the petitioner submits that though this Court granted *Status quo*, in pursuance of the said interim orders the respondents have erected a board in the subject plot stating that the said land belongs to the Government and also put the garbage dust bin therein.

Learned Assistant Government Pleader for Revenue basing on the averments in the counter submits that the board was erected much prior to passing of interim orders in the writ petition; and that the dust bin is also very much in existence prior to passing of interim orders by this Court. He also submits that petitioner herself filed photos at page-7 along with the reply affidavit which shows that the dust bin is lying on the other side of the subject plot.

Now it is to be seen that, to disprove the contention of the respondents that the board is erected much prior to passing of interim orders by this Court, the petitioner did not

file any photographs along with the writ petition showing that no board is erected by the respondents on the date of filing writ petition. Though learned counsel for the petitioner brought to the notice of this Court some photographs filed along with the sale deed for the purpose of registration with regard to the subject plot executed in the year 2008, to show that no board is erected in the subject plot. But, in the counter it is stated that the board is erected by the respondents in the year 2016. In the photographs filed along with the reply affidavit also the dust bin is lying on the other side of the road.

In view of the aforesaid facts and circumstances, whether the petitioner is entitled for the subject plot or it belongs to the Government has to be examined in the writ petition. Hence, I do not see any violation of the orders dated 15.09.2016 passed by this Court in WP.No.30893 of 2016 which was extended on 30.10.2016 until further orders.

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

07.02.2018

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