

HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY

C.C. No. 1794 of 2017

ORDER :

This Contempt Case is filed against respondents alleging willful disobedience in compliance of order dated 28.07.2017 in W.P. No.25134 of 2017, wherein this Court has directed the Endowments Tribunal to dispose of the applications filed by the petitioner in I.A.Nos.875 and 876 of 2017 in O.A.No.380 of 2014, within a period of two weeks from the date of receipt of a copy of the order and till then, there was an interim direction to the respondents 3 and 4 therein not to evict the petitioner from the subject shop.

Counter affidavits are filed by the respondents stating that the order of this Court dated 28.07.2017 is communicated to them on 17.08.2017 and the order of the Tribunal in O.A No.380 of 2014 dated 19.07.2016 was implemented on 28.07.2017 before the order in the Writ Petition is communicated, as such, there is no violation of orders passed by this Court. It is stated that the 1st respondent-Assistant Commissioner addressed letter dated 18.07.2017 to the Sub-Collector, Vijayawada for providing necessary assistance for implementing the orders of the Tribunal dated 19.07.2016 in the above O.A.

Heard learned counsel for the petitioner, who submits that though the order is passed in the afternoon on 28.07.2017 and though the same is in the knowledge of the respondents, they have evicted the petitioner in the evening, which is in violation of orders passed by this Court and that the same is affirmed in the affidavit filed in support of the Contempt Case.

Learned counsel for the respondents submits that the petitioner was very much present when the possession was taken on 28.07.2017.

It is to be seen that when the respondents have denied that they have received the copy of orders on 28.07.2017 and it is specifically stated that they have received the same on 17.08.2017, no reply is filed by the petitioner disputing the same.

In view of the same, I do not see any violation of orders passed by this Court by the respondents.

Accordingly, the Contempt Case is dismissed. As a sequel thereto, miscellaneous petitions, if any, pending in this Contempt Case, shall stand closed.

A.RAJASHEKER REDDY, J

24.01.2018

kvs

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