

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

CONTEMPT CASE No.1064 of 2018

ORDER:

Pending disposal of the main writ petition No.1804 of 2018 of the petitioner maintained against 2 respondents including the 2nd respondent-Commissioner, Kadapa Municipal Corporation, there was interim order passed by this court dated 07.02.2018 which reads as follows:

“At the request of Sri SD Goud, learned Standing Counsel for respondent No.2-Municipal Corporation, to file counter/written instructions, post on 13.03.2018.

Meanwhile, there shall be a direction to respondent No.2 to consider the petitioner's representation, dated 05.01.2018, pass appropriate order thereon and communicate the same to this Court along with the counter/written instructions.”

Counter and additional counter filed by the 2nd respondent undisputedly copies served on the petitioner, it indicates about the passing of the order considering the representation of the petitioner dated 05.01.2018. The grievance of the petitioner in filing the Contempt Case is the order is not properly passed. The main writ petition is undisputedly pending. Once the order is complied with in considering the representation and passing of order, if at all aggrieved by the order it can be impugned in the main writ petition by filing additional affidavit.

With these observations and without prejudice to such right of the petitioner for no contempt case to proceed or admit the petition, this Contempt Case is disposed of before admission.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE Dr. B.SIVA SANKARA RAO

Date: 23.11.2018
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