

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

CC.No.1709 of 2018

Date:28.09.2018

Between.

K.Ram Reddy,
S/o Sathireddy

.....Petitioner

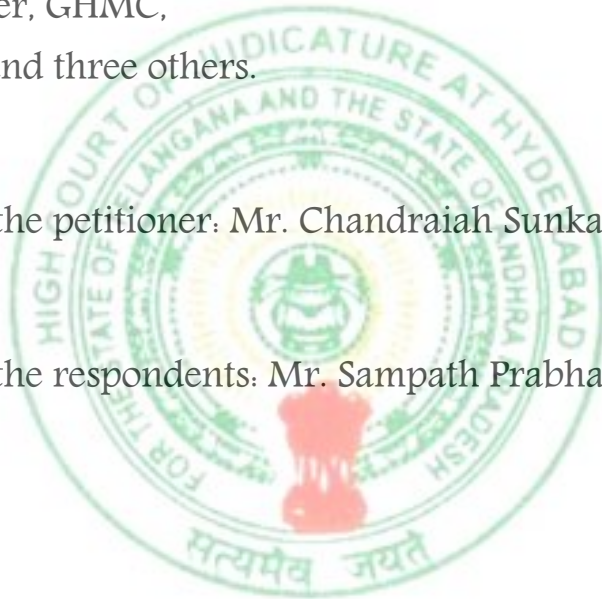
And.

B.Janardhan Reddy,
Commissioner, GHMC,
Hyderabad and three others.

.....Respondents

Counsel for the petitioner: Mr. Chandraiah Sunkara

Counsel for the respondents: Mr. Sampath Prabhakar Reddy



The Court made the following:

ORDER: (*per Hon'ble Sri Justice C.V.Nagarjuna Reddy*)

This Contempt Case is filed alleging willful disobedience of order, dated 03.12.2015, in Writ Petition No.39316 of 2015.

At the outset, the grievance of the petitioner is that in spite of the afore-mentioned order passed by this Court directing respondent Nos.1 and 2 to ensure that respondent Nos.3 and 4 will not remove the existing building situated adjacent to the petitioner's building without compliance of Sections-417 and 423 of the Greater Hyderabad Municipal Corporation Act, 1955, (for short 'the GHMC Act'), respondent Nos.1 and 2 have remained silent spectators when respondent Nos.3 and 4 have violated the said order of this Court by commencing dismantlement of the structures without following the precautions envisaged under the afore-mentioned provisions.

Respondent No.2 has filed a counter-affidavit, wherein he has *inter alia* stated that on the petitioner bringing it to his notice that respondent Nos.3 and 4 have started dismantling the building without following the precautions under Sections-417 and 423 of the GHMC Act, they have immediately issued notice and also stopped the construction. He has further averred that thereafter, on a second complaint made by the petitioner, the site was inspected, which revealed that respondent Nos.3 and 4

have taken all the precautions by covering the building with polythene sheets to prevent dust from affecting the neighbours and thereafter they have completely demolished the building.

Inasmuch as the building has already been demolished and in the light of the averments in the counter-affidavit of respondent No.2 as noted above, I do not find any reason to proceed against the respondents in this contempt. Hence, the Contempt Case is dismissed.

JUSTICE C.V.NAGARJUNA REDDY

28th September, 2018

DR

