

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

AND

THE HON'BLE SRI JUSTICE D.V.S.S.SOMAYAJULU

C.C.No.2361 of 2018

in

I.A.No.1 of 2018

in

CCCA.No.81 of 2018

Date: 23.11.2018

Between:

Ch.Gurumurthy,
S/o.Chandupatla Narayana,
Aged about 54 years,
Occ: Business, D.No.3-4-235,
Mahankali Street, Secunderabad
R/o.1-4-27/72/104,
Padmashali Colony,
Kavadiguda, Secunderabad,
Musheerabad mandal
presently R/o.Plot No.58,
Temple Rock Enclave,
Near Tadbund Hanuman Temple,
Bowenpally, Secunderabad.

...

Petitioner

And

Konda Veeresham,
S/o.Chandrasekharaiah,
Aged about 68 years,
Occ: Business, R/o.Plot No.18,
Grihalakshmi Colony,
Kakaguda, Secunderabad,
presently R/o.Plot No.11,
A.P. Text Book Colony,
Kharkana, Secunderabad
and four others.

...

Respondents

Counsel for the Petitioner : Mr. Ghanta Ramakrishna

Counsel for the Respondents: ----

The Court made the following:

Order: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

This contempt case is filed alleging willful disobedience of order dated 11.04.2018 in I.A.No.1 of 2018 in CCC.A.No.81 of 2018.

2. By the aforementioned order, this Court has granted injunction, restraining respondent Nos.1 to 4, from alienating or creating third party interests over the share claimed by the applicant in the suit schedule property. The applicant in his affidavit filed in support of the contempt case, has alleged that the respondents have given the property, which is the subject matter of the appeal, on lease to a third party. In our opinion, the act of leasing the property, cannot be termed as an act of alienation or creating third party interests. In the absence of any injunction against leasing out the property, the respondents cannot be said to have violated the order of this Court by leasing out the property.

3. In this view of the matter, we do not find any merit in the contempt case and the same is, accordingly, dismissed.

(C.V.Nagarjuna Reddy, J)

(D.V.S.S.Somayajulu, J)

Date: 23rd November, 2018

msb

