

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

Contempt Case Nos.1099 and 914 of 2017

COMMON ORDER :

Contempt Case No.1099 of 2017 is filed by the petitioner against respondents alleging violation of order passed by this Court in WP No.13056 of 2017 dated 12.04.2017, wherein this Court passed the order as follows:

“Heard learned counsel for the petitioner.

Learned Assistant Government Pleader for Revenue seeks time for getting instructions.

Post after ten days in motion list.

Till then there shall be interim direction to the respondents not to interfere with the petitioner's peaceful possession and enjoyment of the subject property till the appeal is disposed of. However, the board erected by the Government shall not be removed till disposal of the appeal. This order will not preclude the appellate authority in passing orders in the appeal.”

Contempt Case No.914 of 2017 is filed by the respondents in the Writ Petition alleging violation of order passed by this Court in WP No.13056 of 2017 on 12.04.2017 stating that the writ petitioner had removed the board erected by the Government in violation of the orders passed by this Court.

Learned counsel for the petitioner in Contempt Case No.1099 of 2017 states that the respondents are trying to evict the petitioner from the subject property. He contends basing on the counter affidavit in C.C.No.914 of 2017 that the petitioner has not removed the sign boards erected by the Government.

Learned Assistant Government Pleader for Revenue submits that though this Court passed interim order on 12.04.2017, the petitioner in the writ petition/respondent removed the board erected by the Government. He submits that after filing of C.C.No.914 of 2017, the respondent/writ petitioner has re-erected the board.

In this case, it is to be seen that the counter allegations are made against each other in these Contempt Cases. The learned counsel for the petitioner in C.C.No.1099 of 2017 states that the respondents are trying to evict the petitioner and on the other hand, learned Assistant Government Pleader for Revenue states that the writ petitioner removed the board erected by the Government and that after filing of Contempt Cases, the board was re-erected.

Since the board erected by the Government was re-erected, the writ petitioner is directed not to remove the board till disposal of the appeal pending before the 2nd respondent in the writ petition.

With the above direction, both the Contempt Cases are disposed of. As a sequel thereto, miscellaneous petitions, if any, pending in these Contempt Cases shall stand closed.

A.RAJASHEKER REDDY, J

05-02-2018
kvs

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kvs