

**THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO**

**CONTEMPT CASE No.462 OF 2019**

**ORDER :**

This Contempt Case is filed alleging willful disobedience of the order dt.05.01.2018 in WP.No.2926 of 2014.

2. While allowing the Writ Petition with costs of Rs.5,000/- to be paid by the Principal Secretary, Revenue Department, Secretariat Building, Hyderabad to the petitioner, this Court directed the 3<sup>rd</sup> respondent in the Contempt Case to restore possession of the subject land to the petitioner within four (04) weeks from the date of receipt of a copy of the order in the writ petition and also to take action to issue pattadar passbook and title deeds to the petitioner under the provisions of A.P. Rights in Land and Pattadar Passbooks Act, 1971 within the same period.

3. Notice was ordered in the Contempt Case on 10.06.2019 and on 18.07.2019 time was sought by the Government Pleader for Revenue for filing of counter, and subsequently, on 18.10.2019, the Tahsildar, Adilabad Mandal and District was *suo motu* impleaded as a party respondent in the contempt case and notice in Form-I was issued to him, since he did not comply with the order in the writ petition and restore possession of the subject property to the petitioner.

4. Thereafter, the matter was listed on 13.12.2019 and two weeks time was granted to comply with the order in the Writ

Petition, making it clear that if it is not complied within that time, seriously the matter would be viewed.

5. Today, the Government Pleader for Revenue appearing for respondents states that an appeal has been preferred against the order impugned in WA.No.831 of 2018 and that the said appeal has not been taken up till date, though it was filed in 2018.

6. This Court waited for more than a year for the respondents to take steps to implement the order dt.05.01.2018 in WP.No.29296 of 2014.

7. Since there is no stay of the order passed in the writ petition in the Writ Appeal and since the 3<sup>rd</sup> respondent has not complied with the said order passed in the Writ Petition though almost two years has elapsed, this *Contempt Case is allowed* and the 3<sup>rd</sup> respondent is sentenced to imprisonment for a period of four (04) weeks and fine of Rs.2,000/- which shall be paid within a period of three weeks. The petitioner shall deposit subsistence allowance @ Rs.250/- per day within a period of three (03) weeks from today. The sentence of imprisonment passed on the 3<sup>rd</sup> respondent is suspended for a period of four (04) weeks from today.

8. Consequently, Miscellaneous Petitions pending if any, shall stand closed.

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**M.S. RAMACHANDRA RAO, J**

27<sup>th</sup> December, 2019.

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