

HIGH COURT FOR THE STATE OF TELANGANA
THE HON'BLE THE CHIEF JUSTICE SRI RAGHVENDRA SINGH CHAUHAN
AND
THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY
CONTEMPT CASE No.760 of 2019
19.02.2020

Between:

Hussain Ali

... Petitioner

and

Sri Veerabrahmaiah and another

...Respondents

Counsel for the appellant : Ms. Vladimeer Khatoon

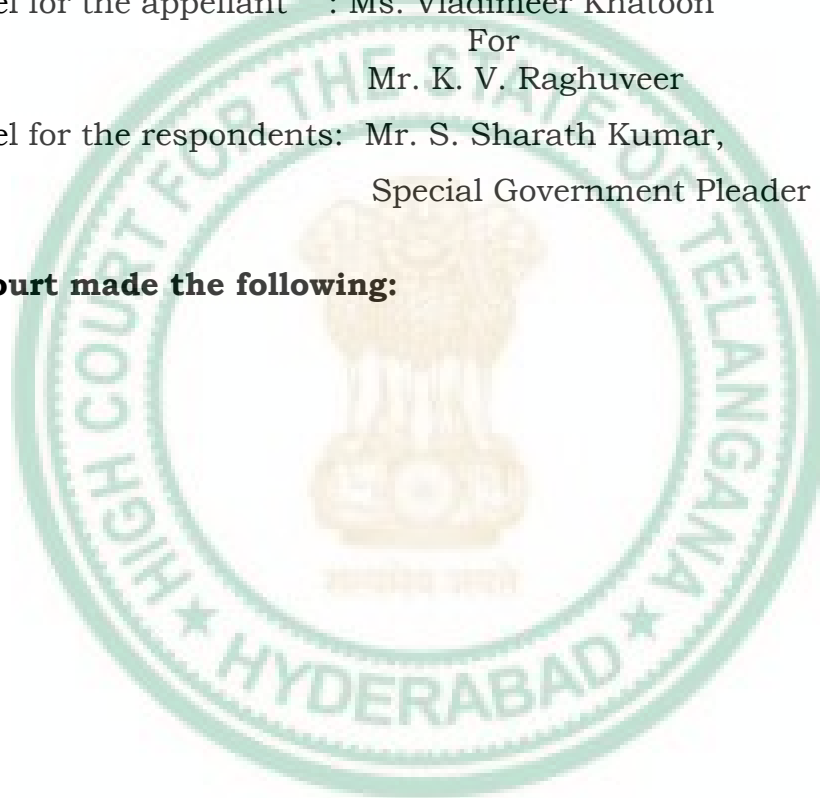
For

Mr. K. V. Raghuveer

Counsel for the respondents: Mr. S. Sharath Kumar,

Special Government Pleader

The Court made the following:



ORDER: (Per the Hon'ble the Chief Justice Sri Raghvendra Singh Chauhan)

The present contempt petition has been filed, ostensibly, on the ground that the order, dated 28.06.2018, passed by a learned Coordinate Bench in W.A.No.866 of 2018, has not been complied with by the alleged contemnors.

By the said order, the learned Coordinate Bench had directed the Enquiry Officer merely to concentrate on a single issue, *namely* the present Managing Committee dug the bore well and constructed the Security Room at the site of the Society without permission of competent authorities incurring an expenditure of 10.00 lakhs and the security room was demolished by the GHMC authorities.

Mr. S. Sharath Kumar, the learned Special Government Pleader, submits that, in fact, the enquiry has been concluded by the Enquiry Officer, and the enquiry report has been submitted on 13.11.2019. Therefore, according to him, this contempt petition no longer survives.

However, Ms. Vladimeer Khatoon, the learned counsel for the complainant, submits that there are lacunae left by the Enquiry Officer. Therefore, the order dated 28.06.2018 has not been complied with. Hence, the contempt continues to be made out.

Heard the learned counsel for the parties.

A bare perusal of the order dated 28.06.2018 clearly reveals that the Enquiry Officer was directed to enquire into a single issue mentioned hereinabove. Admittedly, the Enquiry Officer has considered the said issue, and has drawn certain conclusions in his enquiry report dated 13.11.2019.

Therefore, the order dated 28.06.2018 in W.A.No.866 of 2018 has been complied with. Hence, no contempt is made out. However, in case the complainant is aggrieved by the validity and veracity of the enquiry report, he has remedies available to him.

For the reasons stated above, this Contempt Case is hereby dropped. There shall be no order as to costs.

The miscellaneous petitions pending, if any, shall stand closed.

RAGHVENDRA SINGH CHAUHAN, CJ

A. ABHISHEK REDDY, J

19th February, 2020
JSU



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