

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY ONE**

PRESENT

THE HON'BLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA

AND

THE HONOURABLE SRI JUSTICE N.TUKARAMJI

CONTEMPT APPEAL NO: 42 OF 2019

**Contempt Appeal Under Section 19 of Contempt of Courts Act against the
order dated 05-08-2019 in CC No. 452 of 2018 on the file of the High Court**

Between:

**Smt. K.Radha Bai, Tahsildar, Zaheerabad Mandal, Zaheerabad, Sangareddy District
(Medak) ...APPELLANT / RESPONDENT in CC No.
452 of 2018**

AND

**Abdul Aziz, S/o.Lal Mohd., Aged about 52 years, Occ Business, R/o.H.No.1-5-11,
Hanuman Street, Meena Bazar, Zahirabad Post and Mandal, Sangareddy District
(Medak District) ...RESPONDENT/ Petitioner in CC No. 452 of 2018**

IA NO: 1 OF 2019

**Petition under Section 151 CPC praying that in the circumstances stated in
the affidavit filed in support of the petition, the High Court may be pleased to
suspend the order dated : 05.08.2019 in CC.No. 452 of 2018, pending disposal of
the Contempt Appeal.**

Counsel for the Appellant: SRI C. V. BHASKAR REDDY

Counsel for the Respondent: SRI PRABHAKAR SRIPADA

The Court made the following: ORDER

THE HON'BLE THE CHIEF JUSTICE SATISH CHANDRA SHARMA

AND

THE HON'BLE SRI JUSTICE N. TUKARAMJI

CONTEMPT APPEAL No.42 of 2019

JUDGMENT: *(By the Hon'ble the Chief Justice Satish Chandra Sharma)*

The present contempt appeal is arising out of an order dated 05.08.2019 passed in C.C.No.452 of 2018.

The facts of the case reveal that an order was passed by the learned Single Judge in W.P.No.29627 of 2017 on 07.11.2017 directing the respondents therein to consider the representation of the writ petitioner/respondent herein within six weeks. The representation was considered and an order was passed on 18.07.2019. The learned Single Judge in C.C.No.452 of 2018 has imposed a fine of Rs.500/- upon the contemnor/ the appellant herein.

It has been stated before this Court that the appellant has assumed the charge as Tahsildar (FAC) on 05.01.2018 and thereafter she has complied with the order passed by this Court.

In the considered opinion of this Court, as the appellant has assumed the charge on 05.01.2018, she has certainly complied with the order passed by this Court and the delay which took place prior to 05.01.2018

cannot be attributed to the present appellant. Apart from directing disposal of the representation, there was no other order passed by the learned Single Judge.

Therefore, the present Contempt Appeal is allowed. The order passed by the learned Single Judge in C.C.No.452 of 2018 is hereby set aside. Liberty is granted to the respondent herein to challenge the order dated 18.07.2019 by filing a fresh writ petition.

The miscellaneous applications pending, if any, shall stand closed. There shall be no order as to costs.

SD/-M.SANTHI VARDHANI
JOINT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. Smt. K.Radha Bai, Tahsildar, Zaheerabad Mandal, Zaheerabad, Sangareddy District (Medak)
2. One CC to SRI. C. V. BHASKAR REDDY, Advocate [OPUC]
3. One CC to SRI. PRABHAKAR SRIPADA, Advocate [OPUC]
4. Two CD Copies
5. One Spare Copy

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HIGH COURT

DATED:31/12/2021

ORDER

CA.No.42 of 2019



ALLOWING THE CONTEMPT APPEAL.

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