

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

Contempt Case No.228 of 2018

ORDER:

Heard Mr. P. Mehar Srinivasa Rao, learned counsel for the petitioner; Mr. K. Ravinder Reddy, learned Standing Counsel for the Greater Hyderabad Municipal Corporation, for respondent Nos.1 to 4.

2. This Contempt Case is filed by the petitioner against the respondents, alleging wilful and deliberate violation of the common order passed by a learned Single Judge of this Court in Writ Petition Nos.1310 and 1340 of 2018, dated 19.01.2018.

3. *Vide* above order, the learned Single Judge granted interim direction, by directing respondent Nos.2 and 3 in Writ Petition No.1340 of 2018 and respondent Nos.1 to 4 in Writ Petition No.1310 of 2018, not to undertake demolition of the subject property till 01.02.2018.

4. Alleging wilful and deliberate disobedience of the order passed by the learned Single Judge, the present

Contempt Case came to be filed by the petitioner against the respondents.

5. Learned counsel for the petitioner contended that without following the procedure, the respondents have demolished part of the structure in arbitrary manner; during pendency of the present Contempt Case, the above writ petitions, viz., Writ Petition Nos.1310 and 1340 of 2018, were disposed of by a learned Single Judge of this Court vide order dated 13.04.2018, by duly recording that the respondents would rebuild portion of structure in the premises of Y.M.C.A. in consultation with the officials of the G.H.M.C., and after obtaining appropriate permission from the G.H.M.C.; however, alleging that the respondents have not complied with the order dated 13.04.2018, passed by this Court in Writ Petition Nos.1310 and 1340 of 2018, the petitioner instituted another contempt case, viz., C.C.No.1991 of 2018 which is pending on the file of this Court.

6. In view of above, this Court is of the considered view that since Writ Petition Nos.1310 and 1340 of 2018 were already disposed of by this Court on 13.04.2018 (out of

which the present contempt case arises), the cause in the present Contempt Case no longer survives for adjudication. Moreover, the petitioner has instituted another Contempt Case, viz., C.C.No.1991 of 2018 which is pending on the file of this Court. On this ground also, no orders are necessary to be passed in the present Contempt Case, and hence the present Contempt Case can be closed.

7. However, liberty is given to the petitioner to pursue the C.C.No.1991 of 2018 which is pending on the file of this Court.

8. It is needless to say that the observations made in this Contempt Case would not in any way influence this Court in deciding C.C.No.1991 of 2018.

9. With these observations, the Contempt Case is closed. No costs.

10. As a sequel, miscellaneous applications pending if any in this Contempt Case, shall stand closed.

C.V. BHASKAR REDDY, J

Date : 13.02.2023
Ndr