

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**FRIDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

CONTEMPT CASE NO: 1797 OF 2015

Contempt Case under Sections 10 to 12 of Contempt of Courts Act 1971, to punish the Respondents for willful violation and deliberate disobedience of the orders of this Hon'ble Court dated 31-01-2014 passed in W.P.M.P.No.35897 of 2013 in W.P.No. 28905 of 2013.

Between:

Smt. Eligebeth, W/o. William George, Aged about 63 years, R/o. H.No.9-3-205, Rezimental Bazar, Secunderabad.

...PETITIONER/ PETITIONER

AND

1. Hari Chandan Dasari, Zonal Commissioner, Circle No.18, The Greater Hyderabad Municipal Corporation, Secunderabad.
2. Sri Vijaya Raju, Deputy Commissioner, Circle No.18, The Greater Hyderabad Municipal Corporation, Secunderabad.

...RESPONDENTS/ RESPONDENTS

I.A. NO: 1 OF 2015(APPL. NO: 1113 OF 2015)

Petition under Section 151 of C.P.C. praying that in the circumstances stated in the accompanying affidavit, the High Court may be pleased to permit us to form a temporary shelter in the place of demolished house.

Counsel for the Petitioner : M/s. RAVI KONDAVEETI

Counsel for the Respondent Nos. 1 & 2 : ADDL. ADVOCATE GENERAL

The Court made the following: ORDER

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

Contempt Case No.1797 of 2015

ORDER:

This Contempt Case is filed by the petitioner alleging violation of order dated 31.01.2014 passed by a learned Single Judge of this Court in W.P.M.P.No.35897 of 2013 in W.P.No. 28905 of 2013.

By the above said interim order, this Court granted stay of all further proceedings of notice No.711/TPS/C-18/NZ/GHMC/2012 dated 23.09.2013.

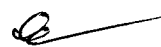
A counter affidavit has been filed by respondent No.1 stating that she has not signed or passed any order for demolition of the petitioner's structure and in fact, on account of series of orders passed by this Court in favour of Mrs. Kalyani and Mrs. Elizabeth and due to communication gap and the misleading letter dated 03.09.2015, the encroachments were removed, and the said action is only because of inadvertence and on account of communication gap. The respondent No.1 has further given an undertaking that she would comply with the order passed by this Court in W.P.M.P.No.35897 of 2013 in W.P.No.28905 of 2013 dated 31.01.2014. In those circumstances, the contemnor had also tendered unconditional apology for removal of the encroachments. Therefore, there is no willful disobedience of the order passed by this Court, except for the reasons cited above and therefore, prayed this Court that she would be more careful in future in following the orders passed by this Court.

In view of above, the contempt case is closed. However, liberty is granted to the petitioner, if any cause survives, to file fresh application seeking revival of the contempt case in accordance with law.

Miscellaneous petitions, if any pending in this contempt case shall stand closed.

Sd/- I. NAGA LAKSHMI
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. One CC to M/s. RAVI KONDAVEETI, Advocate [OPUC]
2. Two CCs to the Addl. Advocate General, High Court for the State of Telangana at Hyderabad. (OUT)
3. Two CD Copies.

Njb

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HIGH COURT

DATED:10/02/2023

ORDER

CC.No.1797 of 2015



CLOSING THE CONTEMPT CASE.

(6) Copies

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15/3/23