

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

Contempt Case No.815 of 2017

ORDER:

This Contempt Case is filed by the petitioner against the respondents herein alleging wilful disobedience of the order passed by a learned Single Judge of this Court in Writ Petition No.24805 of 2016, dated 12.08.2016.

2. *Vide* above order, the learned Single Judge directed the respondents therein to forthwith send requisition to the State of Telangana, represented by its Principal Secretary, Municipal Administration Department for acquisition of the subject property in question under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 **(for short, 'the Act')** and thereupon the said Department shall issue a notification under Section 11 of the Act; and thereafter, the District Collector shall pass an Award under Sections 27-30 of the Act; and the matter shall be referred by the District Collector to the above Authority under Section 77 of the Act for adjudication of title to the said property.

3. A perusal of the Docket Order in the present Contempt Case would go to show that the contempt case is pending since 2017.

4. On 18.08.2021, when the matter was taken up for hearing, Mr. N. Ashok Kumar, learned Standing Counsel, appearing on behalf of the respondents, sought time to file additional counter-affidavit in the matter explaining the delay in complying with the order dated 12.08.2016 passed in Writ Petition No.24805 of 2016.

5. In compliance, the 2nd respondent herein has filed additional counter-affidavit on 22.09.2021, explaining reasons for the delay in paying the compensation or referring the matter under Section 77 of Act 30 of 2013, stating that they have deposited the compensation amount of Rs.54,34,530/- vide Cheque bearing No.365621, dated 28.01.2020 drawn in favour of Presiding Officer, Land Acquisition (Rehabilitation and Resettlement) Authority, Hyderabad to pay the same to the rightful owner of the property; the said reference has also been numbered as O.P.No.52 of 2020 on its file; and therefore, contended that in view of the above compensation, the cause in the

present Contempt Case no longer survives for adjudication, and hence the same may be closed.

6. In view of above submission, this Court is of the considered view that since the reasons explained in the additional counter-affidavit are satisfactory, there is no wilful and deliberate action on the part of respondents for the delay in following the procedure as directed by the learned Single Judge of this Court in Writ Petition No.24805 of 2016, dated 12.08.2016; and therefore, the Contempt Case is closed as no further orders are required.

7. Accordingly, the Contempt Case is closed. No costs.

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

C.V. BHASKAR REDDY, J

Date : 08.02.2023
Ndr