

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

FRIDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

Contempt Case No. 1679 of 2022

Contempt case filed under Sections 10 to 12 of the Contempt of Courts Act for willful, deliberate disobedience of the orders of this Court dated 27.06.2022 in W.P.No.26880 of 2022.

Between:

Rafey Harun Musa, S/o. Ghani A.Musa, Aged about 30 years, Occ: Private Employee, R/o. Door No.9-4-79/1, 1st Floor, Station Road, Khammam District presently Door No.F-402, 4th Floor, Maawin Apts., Gate-I, Brindavan Colony, Tolichowki, Hyderabad.

...Petitioner.

AND

1. Sri P.V.Gautam, IAS, Collector, Khamman, Khamman District.
2. Sri Aadarsh Surabi, IAS, Commissioner, Khammam Municipal, Khammam, Khamman District.

...Respondents.

Counsel for the Petitioner: Sri Y.Nagaiah.

Counsel for the Respondents: Govt. Pleader for Land Acquisition.

The Court made the following: **ORDER**

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

CONTEMPT CASE No.1679 of 2022

ORDER:

This Contempt Case is filed by the petitioner to punish the respondents for willful disobedience of the order dated 27.06.2022 passed by this Court in Writ Petition No.26880 of 2022.

2. Heard both sides and perused the record.
3. This Court *vide* order dated 27.06.2022 in Writ Petition No.26880 of 2022, passed the following order:

"Having regard to the above, the writ petition is disposed of directing the petitioner to submit the copies of the documents, as sought by the respondent No.4 vide Intimation Letter dated 06.06.2022, to the respondent No.4, within a period of 10 days from today. On receipt of such documents, the respondents shall consider the same and pass necessary orders for payment of compensation, within a period of four weeks thereafter. There shall be no order as to costs."

4. The learned counsel for the petitioner has stated that even though the petitioner has submitted all the necessary documents including the building permission vide letter dated 30.07.2022, the authorities concerned without putting the

petitioner on notice or giving an opportunity of hearing, have demolished the petitioner's building. Therefore, the learned counsel for the petitioner prayed this Hon'ble Court to punish the respondents for deliberate violation of the orders of this Court.

5. The learned Government Pleader for Land Acquisition has placed on record the letter dated 30.07.2022 and stated that the petitioner has not enclosed the building permission, alleged to have been granted in his favour, along with the list of documents submitted by the petitioner. Therefore, the authorities concerned have passed the order dated 04.10.2022 and taken necessary action.

6. A perusal of the copy of the letter dated 30.07.2022 discloses that the petitioner has given a representation to the respondent No.2 seeking compensation for the land acquired for road widening/expansion opposite Musthafa Nagar, Masjid Centre, out of House No.5-5-16/2 enclosing certain documents. However, the petitioner has not submitted the copy of building permission along with the letter dated 30.07.2022. Therefore, the respondent No.2 vide intimation letter dated 04.10.2022 has passed the order rejecting the

representation of the petitioner and taken action. Therefore, it cannot be said that the authorities had deliberately violated the orders of this Court. The correctness of the order dated 04.10.2022 passed by the respondent No.2 cannot be gone into in this contempt case.

7. Accordingly, this Contempt Case is closed leaving it open to the petitioner to challenge the order dated 04.10.2022 passed by the respondent No.2 or to take recourse to any other legal remedy, as available under law if he is so advised.

Miscellaneous applications, if any pending, shall stand closed. No order as to costs.

Sd/- CH. VENKATESWARLU
DEPUTY REGISTRAR

//TRUE COPY//



SECTION OFFICER

To,

1. Sri P.V.Gautam, IAS, Collector, Khamman, Khamman District.
2. Sri Aadarsh Surabi, IAS, Commissioner, Khammam Municipal, Khammam, Khamman District.
3. One CC to Sri Y.Nagaiah, Advocate [OPUC]
4. Two CCs to Govt. Pleader for Land Acquisition, High Court for the State of Telangana. [OUT]
5. Two CD Copies

JCK

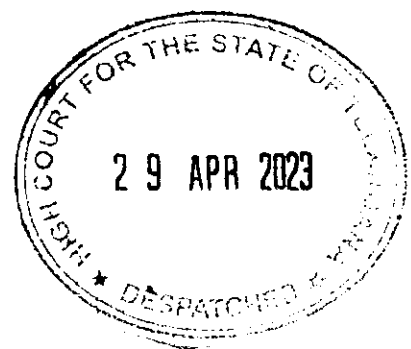
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HIGH COURT

AAR,J

DATED:17/03/2023



ORDER

CC.No.1679 of 2022

Closing the Contempt Case.

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13/4/23
HJH