

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

Contempt Case No.2289 of 2022

ORDER:

This Contempt Case is filed by the petitioner alleging wilful disobedience of the order passed by a learned Single Judge of this Court in Interlocutory Application No.1 of 2018 in Writ Petition No.27688 of 2018, dated 06.08.2018.

2. Vide above order, the learned Single Judge directed respondent Nos.2 and 3 therein not to allow any constructions to be carried out by the 4th respondent therein, unless the 4th respondent has valid building permission.

3. Alleging wilful disobedience of the above order, the present Contempt Case has been filed by the petitioner.

4. Learned counsel for the petitioner contended that even after passing of the above order, the respondent Nos.1 and 2 in the Contempt Case have allowed the 3rd respondent to proceed with the constructions.

5. On the other hand, Mr. K. Siddharth Rao, learned Standing Counsel for the Greater Hyderabad Municipal

Corporation, appearing for the 1st respondent, submitted that in pursuance of the above order passed by the learned Single Judge of this Court, they have stopped the constructions and they have not permitted the 3rd respondent to carry out further constructions in the subject property without following due process of law; the 3rd respondent has made an application for regularization of Stilt and five (05) upper floors in the subject property vide Application NO.2000063086, dated 01.01.2016, which is still pending on the file of respondent Nos.1 and 2; a learned Division Bench of this Court in Writ Petition No.5130 of 2016 and batch, dated 18.10.2016, while dealing with cases relating to Building Regularization Scheme, had disposed of the said batch of cases by directing the official respondents that till the Building Regularization Scheme applications are decided, the official-respondents would not take coercive action; and therefore, contended that as and when the B.R.S. application of the 3rd respondent is decided in terms of the order passed by the learned Division Bench of this Court in above batch of cases, they would take appropriate action in accordance with law.

6. In view of above submissions made by the parties, this Court is of the considered view that the present Contempt Case can be closed as no orders are required to be passed in the Contempt Case.

7. The Contempt Case is accordingly 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 : 09.02.2023
Ndr