

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

CONTEMPT CASE No.2319 of 2022

O R D E R:

The Contempt Case is filed seeking the following relief:

"... to punish the respondent/contemnor under section 10 to 12 of the Contempt of Courts Act, for willful disobedience of this Hon'ble Court directions passed by Her Lord Ship Smt. Justice Lalitha Kanneganti in W.P.No.20271 of 2022, dt.21.04.2022 and".

2. Mr. M. Ajay Kumar, learned counsel for the petitioner submits that this court by order dated 21.04.2022 has disposed of the writ petition i.e. W.P.No.20271 of 2022 recording the submission of the learned standing counsel that they have already issued a notice on 01.12.2021 and they will take appropriate action in accordance with law within four weeks from the date of receipt of copy of the order. He submits that along with the order copy, he has submitted his representations on 22.09.2022 and 07.11.2022 and the respondents failed to take any action as submitted before this court.

2. Mr. K. Prabhakar Rao, learned standing counsel filed counter affidavit on behalf of respondent Nos.1 to 3 and submits that they have issued notice to the petitioner and respondent No.5 and informed them to be present for hearing in person with written explanation in the office chamber of Assistant City Planner on 19.02.2021. It is submitted that they have also issued notice on 01.12.2021 to respondent No.5 to remove the shed constructed by encroaching the lane within three days and for that, explanation was submitted on 15.12.2021 and thereafter, speaking orders were passed on 13.12.2022 directing the unofficial respondent in the writ petition to remove

the unauthorized shed within seven days from the date of receipt of order. It is stated that the District Task Force is headed by the Revenue Divisional Officer and they have sent a letter to the District Task Force and finally, they have removed the encroached portion on 24.01.2023 and they have also filed photographs in that regard.

3. In response to that, learned counsel for the petitioner submits that when a direction was given by this court in the month of April, 2022, the respondents have taken almost eight months to comply with the order.

4. Learned standing counsel submits that as the District Task Force is headed by Revenue Divisional Officer, though, they have passed orders long back, the demolition process has taken certain time.

5. Taking into consideration the fact that already the illegal constructions are removed and also the reasons that are stated for the delay in implementing the orders passed by this court, the contempt case is closed. There shall be no order as to costs.

The miscellaneous applications, if any shall stand automatically closed.

LALITHA KANNEGANTI, J

1st February, 2023
gvl