THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.3060 OF 2018

DATED :29.03.2019

Between :

Syed Abdul Salam Shahedi S/o.Late SA Rahman,
Aged about 85 yrs, Occu : Business,
R/o.H.No.19-5-18, Kishanbagh Bahadurpur,
Hyderabad, rep., by General Power of Attorney
Sri Mr. Fahad Bin Saleh S/o.Saleh Sayeed,
Aged about 38 yrs, Occu : Business,
R/o.H.No.6-3-580/A, Anand Nagar Colony,
Khairatabad, Hyderabad.

.. Petitioner

And

Mr. Janardhan Rao,
The Tahsildar,
Shamshabad Mandal,
Ranga Reddy District.

.. Respondent

This court made the following :

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

CONTEMPT CASE No.3060 OF 2018

ORDER :

This contempt case is filed alleging violation of order passed by this Court in W.P.No.30036 of 2017 on 06.09.2017.

2. W.P.No.30036 of 2017 was disposed of by order dated 06.09.2017 directing the Tahsildar to finalize the issue on the claim made by the petitioner in pursuant to the notice issued by him on 20.06.2017, as expeditiously as possible, preferably within a period of three months from the date of receipt of copy of the order.

3. In the counter affidavit filed by the respondent, it is stated that though on 20.06.2017, Form-8 was issued calling claims and objections, but there is no material on record to show whether any objections are filed as the same are not traceable. It is further averred that supplementary file was opened and report of the Village Revenue Officer Kothwalguda Village was obtained. The Village Revenue Officer, in his report dated 19.12.2018 reported that as per the Pahani Kothwalguda Village, for the year 2016-17 the lands in Sy.Nos.18/A, 18/B and 18/E admeasuring Ac.5-00 guntas, Ac.3-00 guntas and Ac.1-09 guntas respectively recorded in the names of different persons and that entire land in Sy.No.18 is classified as 'Enemy Property'. It is averred that petitioner filed petition for implementation of Document dated 22-04-1971 after 48 years. Therefore, on 10.01.2018 a Memo was issued calling upon the petitioner to produce Search Encumbrance Certificate for

preceding 25 years for elaborate examination of the case. This memo is enclosed to the counter affidavit. The memo discloses that it was dispatched on 10.01.2019.

4. On instructions, learned counsel for petitioner submits that the said Memo was not received by his client even by now.

5. However, since memo is already enclosed to the counter, without entering into the issue whether it was actually received by the petitioner or not, this Court grants one week time to respond to the Memo and thereafter the issue should be considered as ordered by this Court. If there is any further delay not attributable to the petitioner, it is open to the petitioner to initiate fresh contempt proceedings.

6. Accordingly, the Contempt case is closed. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO,J

29th March, 2019
Rds