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**THE HON'BLE SRI JUSTICE RAVI  
CHEEMALAPATI**

**CONTEMPT CASE NO.4498 OF 2023**

**ORDER:**

This Contempt Case is filed under Section 10 to 12 of  
Contempt of Court Act, 1971 seeking the following relief/s:

*“.... pleased to summon the respondent herein  
and punish him suitably U/sec.10 to 12 of  
Contempt of Court Act 1971, for deliberate  
disobedience and willful violation of the orders of  
this Hon'ble Court passed in W.P.No.16191 of 2023,  
dated 20.07.2023 passed by his Lordship Sri  
Justice Ravi Cheemalapati in the interest of justice  
and to pass....”*

2. Heard Sri T.Koteshwara Prasad, learned counsel for the petitioner, Sri Kiran Kumar Vadlamude, learned counsel for respondent.
3. Sri T.Koteshwara Prasad, learned counsel for the petitioner, submitted that, this Court by order dated 20.07.2023 passed in W.P.No.16191 of 2023, directed the District Collector to dispose of the stay application filed by

petitioner along with appeal filed by the petitioner *vide* ROC No.396/2022 dated 20.05.2023 in accordance with law, as expeditiously as possible preferably within a period of one (01) week.

4. He further submitted that instead of complying with the said direction, the respondent authority has directly disposed of the appeal without deciding the stay application of the petitioner, as such, he is liable for punishment under Contempt of Court's Act and prayed to pass appropriate orders.

5. On the other hand, Sri Kiran Kumar Vadlamude, learned counsel for respondent, submitted that, this Court directed to dispose of the stay application filed along with the appeal and the authority has passed orders on the appeal along with the stay application. In view of the same, there is no disobedience and flouting of orders of the Court, as such prayed to dismiss the contempt case.

6. In reply to the said submission, learned counsel for the petitioner, submitted that, this court is directed to dispose of interlocutory applications within one week. Non adherence of time frame fixed by this Court also amount to contempt.

7. Perused the record.

8. This Court has directed specifically to decide stay application along with the petitioner's appeal and the authority concerned has disposed of the appeal itself. In view of the same, this Court does find any disobedience of orders of this Court amounting to contempt.

09. The said authority has not disposed of the appeal within the time frame fixed by this Court. Mere non adherence of the time frame fixed cannot itself be termed as disobedience of the orders of this Court. No doubt the authorities are bound to adhere to the order of this Court, but anyhow the respondent has passed orders on appeal. This Court, taking into consideration the work load with which the authorities are burdened with, inclined to take lenient view. Accordingly, the Contempt Case is liable to be closed. Accordingly, the Contempt Case is closed. However, the petitioner is at liberty to question the order passed in appeal if so advised. There shall be no order as to costs.

Consequently, miscellaneous petitions, pending if any, shall stand closed.

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**JUSTICE RAVI CHEEMALAPATI**

**01<sup>th</sup> September, 2023**

**KKV/TJN**

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**THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI**

**CONTEMPT CASE NO.4498 OF 2023**

**Dated: 01-09-2023**

KKV/ TJN

HIGH COURT OF ANDHRA PRADESH**Contempt Case No.4498 of 2023**PROCEEDING SHEET

Sl. No.	Date	ORDER	OFFICE NOTE
01	01.09.2023	<p><b><u>RC, J</u></b></p> <p>The Contempt Case is closed. (Vide Separate Order)</p> <p style="text-align: right;"><b><u>RC, J</u></b></p> <p>TJN/KKV</p>	

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