

(2011) 07 AP CK 0091
In the Andhra Pradesh High Court
Case No : CC No. 482 of 2011

Bilquis Jahan

APPELLANT

Vs

Mohammed Abdul Sattar @ Mohammed Haji and Others

RESPONDENT

Date of Decision : 07-07-2011

Acts Referred:

Citation : (2011) 5 ALD 81 : (2011) 5 ALT 639

Hon'ble Judges : R. Kantha Rao, J

Bench : Single Bench

Advocate : M. Basith Ali Yavar, for the Appellant;

Final Decision : Allowed

Judgement

R. Kantha Rao, J.—I have heard the Learned Counsel appearing for the Petitioner. Though notices have been served on the Respondents by special messenger, they did not appear either in person or through a Counsel.

2. This contempt case is filed alleging wilful violation of the undertaking furnished by the Petitioners in CRP No. 2293 of 2010.

3. The order passed by the learned Single Judge of this Court in CRP No. 2293 of 2010 reveals that the Petitioners in the revision petition (the Respondents in this contempt case) furnished an undertaking affidavit in USR No. 734/2010 stating that they would vacate the petition schedule premises and hand over the vacant possession of the same to the landlord (the Petitioner herein) in 12 months, the learned Single Judge dismissed the CRP by granting time upto 31.12.2010 to vacate and handover the vacant possession of the petition schedule premises. The grievance of the Petitioner herein is that the Respondents did not vacate the premises even after 31.12.2010 as directed by the learned Single Judge or even after 12 months period sought by them in their undertaking affidavit.

4. The conduct of the Respondents in flouting the undertaking furnished by them before the learned Single Judge of this Court in the CRP No. 2293 of 2010 clearly

amounts to contempt of Court. Therefore, the Respondents herein are directed to vacate the petition schedule property and hand over the possession of the same to the landlord/ Petitioner within a period of seven days from today. Otherwise Petitioner is entitled to get the premises vacated by taking assistance of police force. The trial Court i.e. 3rd Additional Rent Controller, Hyderabad is directed to issue a warrant for delivery of possession of the petition schedule property and shall also direct the police concerned to render assistance in getting the petition schedule property vacated.

5. With the above direction, the contempt case is allowed. There shall be no order as to costs.