

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Case No. :- CCP (S) No. 28/2023

**Sneh Prabha W/o Vijay Kumar
Kalsotra R/o 7/106, Shakti Nagar,
Udhampur**

.....Petitioner(s)/Appellant(s)

Through: Mr. Sheikh Najeeb, Advocate

Vs

- 1. Krittika Jyotsna (IAS), Deputy
Commissioner, Udhampur**
- 2. Mohd. Zabir, Executive Engineer,
PWD (R&B) Division, Udhampur**

..... Respondent(s)

Through: Mrs. Monika Kohli, Sr. AAG

Coram: HON'BLE MR. JUSTICE WASIM SADIQ NARGAL, JUDGE

ORDER

16.12.2023

1. The instant contempt petition has been preferred by the petitioner for initiating the contempt proceedings against the respondents/contemnors for their willful disobedience/ non compliance of order dated 10.11.2021 passed by this Court in case bearing OWP No. 808/2016 titled "**Sneh Prabha vs. Deputy Commissioner, Udhampur & Anr.**" wherein it is held as under:

"In view of the submission made by learned counsel for the parties, the instant petition is dismissed as withdrawn with liberty to the petitioner to make a representation before the respondents and in case, such a representation is made, same shall be decided by them within a period of three months from the date such representation is made to the authority concerned."

2. Objections/statement of facts have been filed by Mrs. Monika Kohli, learned Sr. AAG appearing on behalf of the Deputy Commissioner Udhampur wherein the said respondent in compliance to order dated 10.11.2021 at Para 6 & 7 has held as under:

“.....6 That keeping in view the report of the committee and safety of general public, no allotment of shop in the said building can be made in favour of any person including petitioner.

.....7 That there are 32 more allottees, who are running their business in the said building and keeping in view the existing status of the building, the Estate Officer, PWD Udhampur has been directed to issue eviction notices to all the existing allottees since the building is declared unsafe.”

3. Mr. Sheikh Najeeb, learned counsel appearing on behalf of the petitioner submits that there is no report with regard to the issuance of eviction notices to the existing allottees and the respondents were under an obligation to pass detailed order to the representation filed by the petitioner, pursuant to order dated 10.11.2021, however, there is no whisper in the objections so filed with regard to the outcome of the representation filed by the petitioner.
4. Confronted with the same, Mrs. Monika Kohli, learned Sr. AAG submits that she may be given some time to pass detailed/consideration order with regard to the representation filed by the petitioner and prays for the

proceedings in the instant petition be dropped against the respondents.

5. In light of the stand taken by Mrs. Kohli, learned Sr. AAG, the **instant contempt petition is disposed of** with a direction to Respondent-Deputy Commissioner, Udhampur to take decision and pass detailed/consideration order with regard to the representation filed by the petitioner within two weeks' from the date, copy of this order is served upon the respondents by the petitioner, strictly under rules and as per provisions of law as already directed by this Court vide order dated 10.11.2021 passed in OWP No. 808/2016 titled "**Sneh Prabha vs. Deputy Commissioner, Udhampur & Anr.**".
6. **The proceedings in the instant contempt petition are closed and rule, if any, shall stand discharged.** It is made clear that if the direction passed by this Court is not complied within the prescribed period, the petitioner will be at liberty to revive the contempt petition.

(Wasim Sadiq Nargal)
Judge

JAMMU
16.12.2023
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