

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 1613 of 2023

Applicant :- Varun Singh

Opposite Party :- Neha Mishra, S.D.M.

Counsel for Applicant :- Bharti Mishra

Hon'ble Rohit Ranjan Agarwal,J.

1. Reply to the affidavit of compliance, filed today, is taken on record.
2. The writ Court while disposing of Public Interest Litigation (PIL) No.125 of 2020 on 02.12.2021 passed the following order :

"1. Heard Ms. Bharti Mishra learned counsel for the petitioner, learned Standing Counsel for the State respondents and Sri B.K. Tripathi learned counsel for the Gaon Sabha.

2. Present petition has been filed in the nature of public interest litigation seeking removal of encroachment over public land being plot No. 461/0.190 situated in vilalge Dedhuwana Pargana and Tehsil Kerakat District Jaunpur.

3. In the present facts, counter affidavit had been called by earlier order. Today, Sri Tripathi learned counsel has placed on the record instructions received by him. Copy of the instructions is being marked as 'X'. It has been thus disclosed that at present proceedings under Section 67 of U.P. Revenue Code 2006 has been instituted against respondent Nos. 5 and 6.

4. In view of the above, no useful purpose would be served in keeping the present petition pending or calling for any counter affidavits at this preliminary stage.

5. Accordingly the writ petition is disposed of with a direction upon the respondent No. 3 to hear and decide Case No. T201814360503718, T201814360504018 and T201814360504012, strictly in accordance with law as expeditiously as possible by reasoned and speaking order after hearing all necessary parties and keeping in mind the timelines provided under Rule 67(6) of the U.P. Revenue Code Rules 2016."

3. From perusal of the order it is clear that the proceedings under Section 67 of the U.P. Revenue Code, 2006 was to be brought to its logical end.
4. A compliance affidavit has been filed on behalf of State wherein it has been stated that prior to filing of contempt application, the proceedings has been

concluded and the order has been passed on 26.02.2019, a copy of which has been brought on record as Annexure 1 to the compliance affidavit.

5. As the order was already complied with by the opposite party, no case for contempt is made out. Contempt application stands **dismissed**.

Order Date :- 29.11.2023

Kushal