

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 1874 of 2020

Applicant :- Harishankar And Another

Opposite Party :- M.A. Ansari, Special Land Acquisition Officer (Sichai)

Counsel for Applicant :- Dhiresk Kumar, Raghavendra Pati Tripathi

Counsel for Opposite Party :- K.R. Singh

Hon'ble Rohit Ranjan Agarwal, J.

The writ Court on 16.07.2019 while disposing of Writ-C No. 16452 of 2019 passed the following order:-

"List of fresh cases has been revised. None appears on behalf of petitioners to press this writ petition.

Heard learned Standing Counsel for the respondent nos.1 and 2, Sri Ashok Kumar Pandey for the respondent no.3 and perused the averments made in the writ petition and the documents annexed thereto.

It appears that petitioners claim themselves to be bhumidhars with transferable rights of the Arazi No.1105 Kha area 0.5060 situate in Village Naidi Kathari, Tappa Upraudh, Pargana-Kantit, Tehsil-Lalganj, District Mirzapur (hereinafter referred as the disputed plot).

The grievance of the petitioners appears to be that although the disputed plot has neither been acquired nor any compensation has been paid to the petitioners by the respondents yet they are forcibly trying to utilise the disputed plot of the petitioners for the purpose of road widening and although petitioners have filed a representation dated 5.4.2019 before the respondent no.2 in this regard, copy whereof has been appended as annexure 4 to the writ petition, but even the said representation has not been decided till date.

In view of the above, without expressing any opinion on merits, we dispose of this petition with the direction to the petitioners to file a fresh representation before the respondent no.2 ventilating all their grievances within a period of three weeks from today alongwith certified copy of this order. In case any such representation is filed by the petitioners within the period stipulated hereinabove before the respondent no.2, the same shall be decided by him by a speaking and reasoned order, as expeditiously as possible, preferably within a period of three months from the date of filing of such representation by the petitioner before the respondent no.2"

From perusal of the order, it is clear that writ Court had required the opposite party to decide the representation of the applicant.

Compliance affidavit has been filed on behalf of opposite party wherein it has been stated in para no. 6 that representation of the applicant has been decided on 26.10.2019. Copy of which has been brought on record as Annexure-1 to compliance affidavit.

In view of said fact, as the order of writ Court has been complied with, the contempt application is rendered infructuous and the same stands dismissed.

Contempt notice stands discharged.

Order Date :- 16.11.2023

V.S.Singh