

**Court No. - 9**

**Case :-** CONTEMPT APPLICATION (CIVIL) No. - 3118 of 2023

**Applicant :-** Surendra Vishwakarma And 2 Others

**Opposite Party :-** Nitya Nand And 3 Others

**Counsel for Applicant :-** Kedar Nath Mishra

**Hon'ble Rohit Ranjan Agarwal,J.**

The writ Court on 07.09.2012 while disposing of Writ-C No. 45450 of 2012 passed the following order:-

*"The case of the petitioner is that he is in possession over the property in question, which was the subject matter of Civil Suit No. 687 of 1992, which was filed against the petitioner and the said Suit was dismissed on the ground that the petitioner was in adverse possession.*

*It is a case of the petitioner that the respondent authorities are trying to dis-lodge and evict the petitioner from the property in question, without any authority of law. We have heard learned counsel for the parties and considering the facts and circumstances of the case, we dispose of this writ petition with a direction that the petitioner shall not be evicted from the property in question being Arazi No. 1023/ 2 Kha area 29 dismal situated in Rudrapur, Tappa Nagawa, Teekar, Pargana Silhat Tehsil Rudrapur, District Deoria except in accordance with law."*

From perusal of the order, it is clear that respondents in the writ petition were directed not to evict the applicants from the land in dispute except in accordance with law.

A supplementary affidavit has been filed by applicants bringing on record the array of parties. Annexure-1 is certified copy of array of parties of the writ petition which discloses that all the five respondents in the writ petition are district authorities.

The present contempt application has been preferred against private respondents who were not party in the writ petition. The interim protection granted to applicant was only from the respondents who were arrayed in the writ petition and not against opposite parties who have been arrayed in this present contempt application by the applicant.

No case for contempt is made out.

The contempt application is misconceived and stands dismissed.

**Order Date :-** 21.11.2023

V.S.Singh