

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 3371 of 2023

Applicant :- Rajesh Kumar Shukla And 3 Others

Opposite Party :- Denesh Singh And 6 Others

Counsel for Applicant :- Vijay Kumar Sharma

Counsel for Opposite Party :- Pratik J. Nagar

Hon'ble Rohit Ranjan Agarwal,J.

1. Sri J.Nagar, Senior Advocate has appeared for the opposite party. He has placed before the Court the order passed in Contempt Application (Civil) No.5988 of 2022 dated 10.10.2022, which reads as under :

"The applicant had earlier approached this Court through Contempt Application No.3271 of 2022 in which notices were issued on 04.8.2022 and the said contempt is still pending. The second contempt on the same cause of action is not maintainable as the first contempt application is still pending before this Court.

The contempt application stands dismissed."

2. He further contends that the first contempt application filed by the applicant i.e. Contempt Application (Civil) No.5988 of 2022 is still pending before this Court. According to him, the second contempt application was dismissed by this Court on 10.10.2022 and thereafter the present third contempt application has been filed for violating the order of the writ Court dated 20.02.2020.

3. Learned counsel appearing for the applicant submits that though the interim order is same in all the three contempt application in which violation of the order of the writ Court has been alleged but the incident are different.

4. This Court finds that once the first contempt application being Contempt Application (Civil) No.3271 of 2022 is still pending before this Court, no cause of action arises for filing successive contempt applications and the applicant should have brought to the notice of this Court in the first contempt application itself about any violation made by the opposite party.

5. In view of the said fact, present contempt application is **dismissed** leaving it open to the applicant to pursue his first contempt application and bring on record all the facts which are there, in the first contempt application.

Order Date :- 6.12.2023

Kushal