

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 4137 of 2022

Applicant :- Lal Chandra

Opposite Party :- Ramesh Maurya, Sub Divisional Magistrate

Counsel for Applicant :- Jeetendra Kesharwani, Amish Kumar Srivastava

Hon'ble Rohit Ranjan Agarwal, J.

The writ Court on 06.12.2021, while disposing of Writ-C No.32317 of 2021, had passed the following order:-

"Heard learned counsel for the petitioner, learned counsel for the Gaon Sabha, learned Standing Counsel representing State and perused the record.

The present writ petition, inter alia, has been filed for the following relief:

"(a). Issue an appropriate order, direction or writ in the nature of mandamus directing the respondent no. 3 to take appropriate action over the application of the petitioner dated 8.11.2021 after noticing his order dated 9.11.2021 which was endorsed over the application and further ensure the compliance of his earlier order dated 09.06.1999 passed in case no. 37/164 (Bandu Vs. Gaon Sabha) in year 1997-98-99 with regard to mauza Chhataona Pargana-Mah, Tehsil-Handia, District Allahabad U/s 41 of Land Revenue Act (Annexure no. 9) and further respondents be restrained not to interfere in the peaceful possession of the petitioner till the disposal of the application of the petitioner."

It is submitted by the counsel for the petitioner that the petitioner has moved a representation dated 8.11.2021 for implementation of order dated 9.6.1999 passed in the case for demarcation under Section 41 of UP Land Revenue Act. Aforesaid application is still lying undecided with Sub-Divisional Magistrate (respondent No. 3).

Learned Standing Counsel and learned counsel for the Gaon Sabha have no objection in case a direction is issued for early disposal of the case.

In this conspectus, as above, no useful purpose would be served to keep this matter pending, therefore, this Court deems it appropriate to finally dispose of the present writ petition, without making any observation on the merits of the case as mentioned in the present writ petition, with a direction to Sub-Divisional Magistrate (respondent No. 3) before whom the aforementioned matter is pending disposal, to take appropriate steps to decide the same expeditiously, preferably, within a period of two months from the date of receipt of a certified copy of this order.

It is expected that it should be decided by a reasoned and speaking order, in accordance with law, after affording opportunity of hearing to the

parties concerned without granting unnecessary adjournments to either of the parties.

With the aforesaid direction, present writ petition is disposed of."

Today, an affidavit of compliance has been filed on behalf of the State, which is taken on record.

In para 10 of the said affidavit, it has been stated that the demarcation proceedings have been carried out and representation of the applicant dated 08.11.2021 has been decided on 08.11.2023, copy of which has been brought on record as Annexure 4 to the said affidavit.

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

Order Date :- 17.11.2023

SK Goswami