

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 6314 of 2023

Applicant :- Sewasharan Singh

Opposite Party :- Anoop Singh, S.H.O. And 3 Others

Counsel for Applicant :- Shyam Dhar Gupta

Counsel for Opposite Party :- Vidhu Prakash Pandey

Hon'ble Rohit Ranjan Agarwal,J.

1. Heard learned counsel for the applicant and learned Standing Counsel for the State.

2. This contempt application has been filed for punishing the opposite party on the ground that on the strength of the instructions received by the Standing Counsel the earlier contempt application No.924 of 2023 was dismissed on 10.04.2023 and following order was passed :

"In pursuance of the earlier order , instructions have been received, which are taken on record.

On the strength of the instructions, Mr. Arvind Singh learned Standing Counsel submits that as soon as information is received the opposite party will ensure that no construction is being raised.

In view of the above, no cause of action survives. The contempt application is disposed of.

Let the contempt application be consigned to record.

Notice, if any, stands discharged."

3. After perusal of the order passed in the earlier proceedings, this Court finds that if any cause of action arose and the applicant was aggrieved by the action the opposite party, he should have filed a recall application in the earlier contempt application No.924 of 2023 and the subsequent contempt application is not maintainable.

4. In view of the said fact, contempt application stands dismissed leaving it open to the applicant to move recall application in the earlier contempt application No.924 of 2023, if so advised.

5. Contempt notice stands discharged.

Order Date :- 7.11.2023

Kushal