

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 5812 of 2023

Applicant :- Ramchandra

Opposite Party :- Shri Sobaran Lal And 5 Others

Counsel for Applicant :- Swarn Prakash Sharma, Shivam Pandey

Hon'ble Rohit Ranjan Agarwal, J.

This contempt application under Section 12 of the Contempt of Courts Act has been filed for punishing the opposite party for violating the interim order dated 08.10.2010 passed in Criminal Misc. Writ Petition No.19122 of 2010.

It appears that order of status quo was violated by one of the parties which led to filing of Contempt Application (Civil) No.6222 of 2013. On 06.01.2014 notices were issued to opposite parties. Subsequently on 16.12.2021 the Contempt Application (Civil) No.6222 of 2013 was dismissed for want of prosecution.

Learned counsel for the applicant submitted that as the order was complied with by the opposite party and the constructions were stopped, he did not appear before the Court and hence the contempt application was dismissed for want of prosecution.

This Court finds that the applicant's counsel should have made a statement before the Court about the compliance of the order. As the contempt application has been dismissed for want of prosecution, the present second contempt application filed for punishing the opposite parties for the same act is not maintainable and the same is hereby **dismissed** giving liberty to the applicant to move a recall application in earlier Contempt Application (Civil) No.6222 of 2013.

Order Date :- 14.12.2023

Kushal