

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 5782 of 2023

Applicant :- Radhey Shyam And Another

Opposite Party :- Shr Nitin Ramesh Gokran And 4 Others

Counsel for Applicant :- Prem Sagar Verma, Gaurang Kulshreshtha

Hon'ble Rohit Ranjan Agarwal, J.

1. The writ Court on 12.10.2010 in Writ - C No.62707 of 2010 passed the following order :

"Heard learned counsel for the petitioner and Sri Chandra Shekhar Singh, learned Counsel for the respondents no. 2 and 3 as well as learned Standing Counsel representing the respondents no. 1 and 4.

Learned counsel for the petitioners contends that representation which has been decided by the State Government relates to plot No. 2726 area .34 decimal which was covered under the acquisition and on which the house of the petitioners was existing. It is submitted that the State Government decided the representation as that the representation was for release of the land from acquisition. He submits that the possession with regard to area .34 decimal was not taken by the respondents.

Let counter affidavit be filed by the respondents within four weeks. List thereafter for admission.

In the meantime, house of the petitioners existing on an area of 0.34 decimal over old plot no. 2726 being new plot No. 1072, be not demolished provided the house exists as on date."

2. Today Sri Nipun Singh, Advocate, has put in appearance on behalf of opposite party. He has placed before the instructions so received by him.

3. From perusal of the instructions it is clear that the house of the applicants has not been demolished. A false statement was made by the counsel for the applicants on the earlier occasion that the house of the applicants has been demolished by the opposite parties. Today also he insisted that the house of the applicants has been demolished but later on, he stated that except the house, other area such as boundary wall has been demolished.

4. This Court finds that no case for contempt is made out. Contempt application is misconceived.

5. Dismissed.

Order Date :- 3.11.2023

Kushal