

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 6568 of 2023

Applicant :- Mannu Kumar Bind

Opposite Party :- Shri Rajesh Prasad. Sdo

Counsel for Applicant :- Udai Shankar Chauhan

Hon'ble Rohit Ranjan Agarwal,J.

The writ Court on 31.08.2022 while disposing off Writ-C No. 21611 of 2022 passed the following order;

"Heard learned counsel for the parties.

It is argued by learned counsel for the petitioner that the petitioner though had been placed in possession by concluding proceeding under Section 24 of the U.P. Revenue Code, 2006 the opposite party no.2 has removed boundary mark stones already placed on the boundaries identified.

Sri Rahul Malviya, learned Standing Counsel for the State submits that the appropriate forum for the petitioner is to apply under Section 23 read with Section 22 of U.P. Revenue Code, 2006 for redressal of his grievance raised in this petition.

In view of the above, liberty is granted to the petitioner to apply under Section 23 read with Section 22 of U.P. Revenue Code, 2006 within three weeks from today.

In the event any such application is filed, the same shall be considered and disposed of after getting report from the revenue officials, within a period of two months from the date of receipt of certified copy of this order.

Subject to the aforesaid liberty, the petition is consigned to records."

Today a compliance affidavit has been filed by the State wherein in paragraph no. 7 it has been stated that proceedings were conducted on the spot in presence of the applicant by the revenue team on 28.06.2023 and stone of the boundary line was fixed, copy of the spot memo has been brought on record as annexure No. 1 to the compliance affidavit.

As the order of writ Court was only to the extent that in case an application is filed the same was to be considered by the authorities after getting report from the revenue officials which the authorities have already done, no case for contempt is made out.

As the order of writ Court has been complied by the opposite party, contempt application stands dismissed.

Contempt notice stands discharged.

File consign to record.

Order Date :- 6.11.2023

Shekhar