

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 6499 of 2022

Applicant :- Tribhuvan Nath Singh

Opposite Party :- Shri Somnath Mishra, D.D.C

Counsel for Applicant :- Radhey Shyam Yadav, Anurag Yadav

Hon'ble Rohit Ranjan Agarwal, J.

The writ Court on 06.08.2021 in Writ-B No.1175 of 2021 had passed the following order:-

"Heard learned counsel for the petitioner, learned Standing Counsel for the respondent nos. 1 to 5 and perused the record.

The present writ petition has been filed for the following reliefs:-

I. A writ, order or direction in the nature of mandamus directing the respondent no.2 to take the action upon the grievances of the petitioner and conclude the consolidation operation at Village Gram Sabha Banki, Post Sikrara, Pargana Kariyat Dost, Tehsil Sadar, District Jaunpur with respect to the consolidation operated initiated by the notification dated 09.03.2004 issued under Section 4 of the Act, 1954.

II. Any other writ, order or direction which this Hon'ble Court may deem fit and proper in view of the facts and circumstances of the case.

III. And award cost of the petition.

Counsel for the petitioner submits that consolidation proceedings, in pursuance of the notification under Section 4 of the U.P. Consolidation of Holdings, 1953, are not being properly conducted in the light of the provisions as enunciated under U.P.C.H.Act and Consolidation Manual and unnecessary delay is being caused in finalizing the consolidation proceedings.

Be that as it may, no useful purpose would be served to keep this matter pending, therefore, this Court deems it appropriate to finally dispose of the writ petition without making any observation on merits of the case as mentioned in the writ petition, with a direction that petitioner is at liberty to move fresh representation within a period of three weeks from today, qua his grievances as mentioned in the present writ petition along with copy of this order before the Deputy Director of Consolidation, Jaunpur (respondent no.4), who shall take an action either himself or to refer the matter before appropriate authority for appropriate decision in the matter, in accordance with law, expeditiously preferably within a period of three months from the date of in receipt of the aforesaid representation."

From the perusal of the aforesaid order, it is clear that a direction was issued giving liberty to the applicant to move a fresh representation before the authority which was to be decided.

An affidavit of compliance has been filed on behalf of the opposite party, wherein in para 8, it has been stated that the order of the writ Court has been complied and the representation has been decided on 28.10.2021.

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.

Contempt notice stands discharged.

File is consigned to record.

Order Date :- 28.10.2023

SK Goswami