

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 7153 of 2023

Applicant :- Tejbahadur

Opposite Party :- Sri Navneet Singh Chahal

Counsel for Applicant :- Byas Kumar Prasad, Dharmendra Pratap Kushwaha

Hon'ble Rohit Ranjan Agarwal, J.

1. The writ Court on 28.03.2023 while disposing of Writ - C No. 8806 of 2023 passed the following order :

"Heard learned counsel for the petitioner and learned Standing Counsel for the State-respondents.

By the instant writ petition, the petitioner seeks the following relief :-

"(i) Issue a writ, order or direction in the nature of mandamus directing the respondent nos. 2 and 3 to take appropriate steps for removing illegal occupation of the respondent no.4 over the land of the petitioner bearing Gata No.904 admeasuring area 0.5445 hectare, situated at Village Sherdeeh, Jhunsi, District Prayagraj, within stipulated period as may be fixed by this Hon'ble Court."

It is alleged that Bhumafiya are forcibly encroaching upon the land of the petitioner.

Learned Standing Counsel submits that the second respondent District Magistrate, Prayagraj, shall consider the representation / proposal of the petitioner.

In view of the above, the writ petition is disposed of, with a direction to the second respondent to consider and decide the representation of the petitioner within a period of six weeks, from the date of filing of a certified copy of this order before him. Petitioner to file a copy of the representation and writ petition along-with certified copy of this order.

It is clarified that the Court has not considered the claim of the petitioner on merit."

2. From perusal of the order of writ Court it is clear that a direction was issued to the opposite party to decide the representation of the applicant.

3. Today when the case was taken up, learned Standing Counsel has placed before the Court the instructions so received him, according to which the representation the representation of the applicant has been decided by the opposite party on 05.12.2023.

4. As the order of writ Court, which was to the extent to decide the representation has been complied with by the opposite party, the contempt application has rendered infructuous and stands dismissed, leaving it open to the applicant to assail the order passed by opposite party before the appropriate Forum, if so advised.

5. Contempt notice stands discharged.

Order Date :- 6.12.2023

Kushal