

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 7352 of 2023

Applicant :- Rajkumar Chauhan

Opposite Party :- Dr. Lokesh M., Chief Executive Officer

Counsel for Applicant :- Kamlesh Kumar Mishra

Hon'ble Rohit Ranjan Agarwal,J.

1. The writ Court on 28.11.2022 while disposing of Writ - C No.34718 of 2022 passed the following order :

"Heard learned counsel for the petitioner and Sri Kaushalendra Nath Singh learned Advocate on behalf of respondent- NOIDA.

The prayer in the present writ petition is to issue a mandamus commanding the respondent to decide the application dated 28.10.2022 moved by the petitioner for allotment of residential plot in the scheme of Residential Plot Scheme-2011 (01) as Amended 2014, (Only for Agricultural Category of NOIDA).

On the instructions received by Sri Kaushalendra Nath Singh learned Advocate for the respondent-NOIDA, it is submitted that the draw of plots with respect to the scheme in question has been held. The allotment and possession letters have been issued to the allottees.

In light of the above, we do not find any good ground to entertain the claim of the petitioner for early disposal of the applications filed by the petitioner.

However, it is provided that the petitioner is at liberty to file a fresh application for allotment of residential plot in the scheme in question, if there are vacant plots.

In case, such an application is moved by the petitioner within a period of two weeks along with the copy of this order, the respondent no. 2 namely the Chief Executive Officer, NOIDA Industrial Development Authority, Gautam Budha Nagar shall be under obligation to deal with the same, in accordance with law, by passing a reasoned and speaking order, as expeditiously as possible.

The writ petition is disposed of, accordingly."

2. From perusal of the order it is clear that a direction was issued by the writ Court that in case an application is moved by the

applicant, it was to be decided by the opposite party.

3. Today instructions have come from the office of opposite party and Sri Ankur Agarwal, counsel appearing for opposite party, states that the order of the writ Court has been complied with and the application filed by the applicant has been decided on 05.12.2023.

4. As the order of the writ Court has been complied with and final decision has been taken on the application of the applicant on 05.12.2023, the contempt application has rendered infructuous and stands **dismissed**, however, leaving it open to the applicant to challenge the order passed by the opposite party before the appropriate Forum, if so advised.

5. Contempt notice stands discharged.

Order Date :- 6.12.2023

Kushal