

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 7286 of 2023

Applicant :- Durgavijay Rai

Opposite Party :- Shri Atul Kumar, Sdm

Counsel for Applicant :- Rajeev Giri

Hon'ble Rohit Ranjan Agarwal,J.

The writ Court on 15.03.2022 while disposing of Writ-A No. 5587 of 2022 passed the following order:-

"Heard learned counsel for the parties.

Grievance of the petitioner in the matter of illegal encroachment of the land needs to be examined by respondent no.3.

However, during course of the argument, learned counsel for the petitioner asserted that he has already moved an application before the Sub-Divisional Magistrate, Azamgarh, (annexure no.4 to the writ petition), ventilating his grievances, the same has been pending and not decided as yet.

Learned learned Standing Counsel contend that no useful purpose would be served by keeping this writ petition pending and same be disposed of by giving appropriate direction to the respondents concerned.

In view of above, we direct that the aforesaid representation shall be duly considered by the Sub-Divisional Magistrate, Azamgarh, provided a copy of this order along with fresh representation is produced before the Sub-Divisional Magistrate, Azamgarh within a period of three weeks from today and the same shall be disposed of by reasoned and speaking order within one month next after presentation of certified copy of this order.

With the aforesaid direction, the instant petition is disposed of."

From perusal of the order, it is clear that Court had given leverage to applicant to move a fresh representation which was to be decided by opposite party.

Today, a compliance affidavit has been filed on behalf of opposite party wherein it has been stated that representation has been decided on 27.11.2023. Copy of which has been brought on record as Annexure-1 to compliance affidavit.

In view of said fact, as the order of writ Court has been complied

with, the contempt application is rendered infructuous and the same stands dismissed.

Contempt notice stands discharged.

Order Date :- 4.12.2023

V.S.Singh