

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 8435 of 2023

Applicant :- Sachchidanand Rai

Opposite Party :- Durbesh Kumar Singh, Tehsildar, Tehsil-Jakhania

Counsel for Applicant :- Vijay Kumar Rai

Hon'ble Rohit Ranjan Agarwal,J.

Earlier, the contempt application filed by the applicant being Contempt Application (Civil) No.2413 of 2023 was dismissed on 17.04.2023 and following order was passed:-

"On 26.11.2021, the writ Court disposed of the Public Interest Litigation (PIL) No.2071 of 2071 directing the petitioner to file the case under Section 67 of the U.P. Revenue Code, 2006, within 15 days which was to be decided within 90 days.

It appears that the the applicant had moved the representation by post before the Commissioner, Varanasi and District Magistrate, Ghazipur. Section 67 of the Code mandates that the application has to be filed before the Tehsildar and not before the Commissioner.

Application filed by the applicant was filed before the wrong forum.

No case for interference is made out.

Contempt application is, accordingly, dismissed."

Learned counsel for the applicant states that now the applicant has filed an application before the Tehsildar, as such, the present contempt application is maintainable as the opposite party has not complied the order of the writ Court.

This Court finds that once the contempt application has been dismissed for non-compliance by the applicant himself, second contempt application at the behest of the applicant is not maintainable.

Present contempt application is misconceived and the same stands dismissed.

Order Date :- 22.11.2023

SK Goswami