

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 8578 of 2023

Applicant :- Mohd Iqbal

Opposite Party :- Mohd Aslam

Counsel for Applicant :- Rajesh Kumar Bind

Hon'ble Rohit Ranjan Agarwal,J.

Heard learned counsel for the applicant.

The writ Court, while granting interim order on 16.03.2023 in Writ-B No.1189 of 2022, had passed the following order:-

"Supplementary affidavit filed today is taken on record.

Heard Mr. Rajesh Kumar Bind, Counsel for the petitioner.

Counsel for the petitioner submitted that petitioner is original tenure holder of plot No. 133/1 along with respondent No.3. He further submitted that A.C.O. has proposed second chak to the petitioner on plot No. 133/1 but Settlement Officer Consolidation in appeal filed by respondent No.3 has taken away the plot No. 133/1 and allotted chak on plot No. 103 which is not fit for cultivation and is away from his abadi etc. He further submitted that specific ground was taken in the grounds of revision but Revisional Court without considering the case of the petitioner has dismissed the revision in arbitrary manner.

Matter requires consideration.

Let the notice be issued to respondent No.3 returnable at an early date.

Steps be taken within one week.

Respondent No.3 shall file counter-affidavit within six weeks. Petitioner will file rejoinder-affidavit within two weeks thereafter.

List this matter on 3.8.2023.

Until further orders of this Court, the parties are directed to maintain status quo with respect to nature and possession of the plot in dispute."

From the perusal of the aforesaid order, no case for contempt is made out.

Contempt application is misconceived and the same stands dismissed.

Order Date :- 28.11.2023

SK Goswami