

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 8811 of 2023

Applicant :- Sarvesh Pratap Singh

Opposite Party :- Dharmveer Singh, Tehsildar And 4 Others

Counsel for Applicant :- Satyendra Pandey

Hon'ble Rohit Ranjan Agarwal, J.

The writ Court, on 02.01.2023, in Writ-C No.39994 of 2022 had passed the following order:-

"It is submitted by learned counsel for the petitioner that the encroachment has been made over Arazi No.1185 and 1187, which is recorded as Khaliyan in revenue records and as such the present writ petition has been filed.

Learned Standing Counsel submits that the petitioner has a remedy of filing an application under Section 67 of U.P. Revenue Code, 2006.

Learned counsel for the petitioner does not dispute the fact that the petitioner has a remedy under Section 67 of U.P. Revenue Code, 2006 and as such he submits that the present writ petition may be permitted to be withdrawn with liberty to the petitioner to institute appropriate proceedings under the Revenue Code.

Accordingly, the writ petition is dismissed as withdrawn with liberty to the petitioner to institute proceedings under the U.P. Revenue Code, 2006. In case any such proceedings are initiated, the respondent authorities are directed to decide the same in accordance with law expeditiously and ensuring that there is no misappropriation of the public utility land."

From the perusal of the aforesaid order, it is clear that the applicant had withdrawn the writ petition and it was dismissed as withdrawn.

Once, the writ petition was dismissed as withdrawn, no case for contempt is made out.

Contempt application is misconceived and the same stands dismissed.

Order Date :- 6.12.2023

SK Goswami