

Court No. - 4

Case :- CONTEMPT APPLICATION (CIVIL) No. - 3375 of 2023

Applicant :- Ahmad Hasan

Opposite Party :- Smt. Pooja Yadav, Assistant Collector, Tehsil-Sadar, Bahraich

Counsel for Applicant :- Abdul Alim Khan

Hon'ble Rajesh Singh Chauhan,J.

1. Case called out.
2. None appears for the petitioner nor any request for adjournment has been made, however, Shri Mayankar Singh, learned Standing Counsel is present.
3. This Court has passed the order dated 06.10.2023, which reads as under:-

"1. Heard learned counsel for the petitioner.

2. By means of this contempt petition, the petitioner has prayed for compliance of order dated 16.02.2022 passed by this Court in the Matters Under Article 227 No.382 of 2022 (Ahmad Hasan vs. State of U.P. & others), whereby this Court directed the Assistant Collector, Tehsil-Sadar Bahraich, District-Bahraich to consider and finally decide the pending matter bearing Case No.03267 of 2021, Computerized Case No.T202108150103267 after affording an opportunity of hearing to the parties concerned within a period of eight months from the date of receipt of a certified copy of this order but after service of the aforesaid order through application dated 21.02.2022, more than one year and nine months period have passed but the aforesaid pending case of the petitioner has not been decided till date.

3. Be that as it may, when this Court has specifically directed to consider and decide the aforesaid case of the petitioner within the time stipulated, the Prescribed Authority must decide the case of the petitioner within time stipulated and if there was any non-cooperation of any of the parties, any date should have been fixed for ex-parte proceedings on the aforesaid case of the petitioner in terms of the order of this Court.

4. Therefore, today, instead of issuing notice to the opposite party, I am fixing the date after one month so that the decision on the case of the petitioner could be taken at the earliest.

5. Learned counsel for the petitioner shall produce the certified copy of

this order before the Prescribed Authority and shall also file a fresh manual order sheet w.e.f. 06.10.2023 till 17.11.2023.

6. List this case on 23.11.2023 as fresh. "

4. Shri Mayankar Singh, learned Standing Counsel has produced the copy of instructions letter dated 17.11.2023 preferred by Sub Divisional Magistrate, Sadar, Bahraich, addressing to the Chief Standing Counsel enclosing therewith the relevant document including the order dated 16.11.2023 whereby the Sub Divisional Magistrate, Sadar, Bahraich has concluded the proceedings of Section 116 of U.P. Revenue Code, 2006. However, the aforesaid instructions are taken on record.

5. Shri Mayankar Singh may provide the copy of the letter dated 16.11.2023 to the learned counsel for petitioner within five working days.

6. In the wake of aforesaid development nothing remains to be adjudicated in the present contempt petition, accordingly, the same is **dismissed**.

7. However, it is always open for the petitioner to challenge the order being passed by the authority concerned, if the petitioner feels himself aggrieved from that order.

Order Date :- 23.11.2023

Mohd. Sharif