

GAHC010095242022



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Cont.Cas(C)/275/2022

ANJAN KUMAR DAS AND ANR
S/O- LATE ROHINI KUMAR DAS, R/O- HOUSE NO. 40, INDIRA GANDHI
PATH, SANTIPUR HILLSIDE, P.O. AND P.S. BHARALUMUKH, DIST.-
KAMRUP(M), ASSAM, PIN- 781009.

2: NILAV JYOTI DAS
S/O- LATE ROHINI KUMAR DAS
R/O- HOUSE NO. 40
INDIRA GANDHI PATH
SANTIPUR HILLSIDE
P.O. AND P.S. BHARALUMUKH
DIST.- KAMRUP(M)
ASSAM
PIN- 781009

VERSUS

GAURI SANKAR DAS
ADDITIONAL DEPUTY COMMISSIONER, KAMRUP(M), LAND REVENUE
BRANCH, GUWAHATI-781001, ASSAM

For the petitioner (s) : None appears

For the respondent (s) : Mr. D. Nath, Sr. Govt. Advocate

BEFORE
HON'BLE MR. JUSTICE DEVASHIS BARUAH
ORDER

05.02.2024

The instant contempt application has been filed by the petitioner alleging violation to the order dated 22.11.2021 passed in WP(C)

No.4605/2021.

2. The record reveals that the petitioner has not been represented on various occasions. Be that as it may, this Court has perused the order dated 22.11.2021 which transpires that the direction was to the Circle Officer, Azara Revenue Circle to pass necessary order in Misc. Case No.15/16-17 pending before the said authority preferably within a period of 3 (three) months from 01.12.2021.

3. This Court has duly taken note of the paragraph No.4 of the contempt application wherein it has been mentioned that the Circle Officer, Azara Revenue Circle has duly done so.

4. Considering the above, the instant contempt proceedings so filed against the contemnor herein is totally misconceived.

5. Accordingly, the contempt proceedings stands dropped.

6. Be that as it may, this Court however observes that in the circumstance the petitioner is aggrieved by any action, it would be a separate cause of action for which the petition has to avail other remedies and not by way of a contempt proceedings.

7. Under such circumstances, the dropping of the contempt proceedings shall not prejudice the petitioner to avail such remedies otherwise available under law.

JUDGE

Comparing Assistant