

Court No. - 17

Case :- CONTEMPT APPLICATION (CIVIL) No. - 4675 of 2024

Applicant :- Ram Samujh

Opposite Party :- Yatharth Vikram, Addl. Civil Judge Court No 26
Pratapgarh

Counsel for Applicant :- Akhilesh Kumar Pandey

Counsel for Opposite Party :- Gaurav Mehrotra

Hon'ble Manish Kumar,J.

Heard.

Present contempt petition/application has been preferred for non-compliance of the judgment and order dated 23.08.2023. The relevant excerpts of the said judgment is being reproduced hereinbelow:-

"However, it is always open for the petitioner to move appropriate application before the court before which the matter is pending for expeditious hearing. In case any such application is moved within a week from today the same shall be considered and disposed of within two weeks thereafter and endeavour shall be made to decide the Suit within a time frame.

With the aforesaid, the petition is disposed of."

Shri Shishir Jain, learned Advocate appearing for High Court and District Courts on the basis of instructions received has submitted that the applicant had not filed any urgency application for expeditious disposal of the case pending before the respondent.

The said submission of the learned counsel for the respondent is disputed by the learned counsel for the applicant and has submitted that the copy of the judgment passed by the Writ Court was submitted before the Trial Court.

After hearing learned counsel for the respective parties and going through the record of the case, the Writ Court observed that it is always open for the applicant to move an appropriate application before the Court before which the matter is pending for expeditious hearing. In case any such application is moved within a week from the date of judgment, the same shall be considered and decided within two weeks but the applicant had not filed any application requesting for expeditious hearing rather he had only filed a photocopy of the judgment and order dated 23.08.2023.

Under these circumstances, there is no wilful disobedience on the part of the respondent as no application was moved before him for expeditious hearing, so there is no question of deciding the same.

The present contempt petition is misconceived and hereby dismissed.

Order Date :- 18.12.2024
Ashish