

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Case:- CCP(S) No. 190/2025 in
WP(C) No. 1526/2024

Om Parkash Singh, age 65 years,
S/o Sh. Dewan Singh, resident of Village
Sandhar, Morha Tall,
Tehsil Basohli, District Kathua.

.....Applicant(s)/Petitioner(s)

Through: Mr. Vasharan Thakur, Advocate.

Vs

1. Sh. Bharat Gupta, Executive Engineer,
presently In-charge Superintending
Engineer PMGSY Reasi.
2. Sh. Sunil Kumar, Junior Engineer,
Bani.
3. Sh. Rajeshwar Singh, alias Lucky, S/o
Sh. Hira Singh, R/o Sandhar, Tehsil
Basohli, District Kathua.

..... Respondent(s)

Through:

Coram: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE

ORDER
(06.06.2025)

सत्यमेव जयते

1. The applicant-Om Parkash Singh was one of four writ petitioners in WP(C) No. 1526/2024 which came to be disposed of by the writ court, in terms of an order dated 15.07.2024, holding that there was nothing required to be adjudicated as the grievance of the four writ petitioners stood redressed but reserved liberty in favour of the writ petitioners to approach the court, if cause of action survived or if any grievance in that regard was to remain.

2. In the writ petition, the four petitioners sought relief of calling for the relevant record pertaining to the proposal, sanction and alignment of the road from the Shara (Tall Morh) to Naganna via Lal Shree Mandir due to be undertaken under NABARD and further

directing the writ respondents not to change the original alignment as approved by the Administrative Department and also not to shift the alignment so as to interfere in any manner with the land of the writ petitioners measuring 34 kanals 4 marlas comprised in khasra No. 409 of village Sandhar, tehsil Basohli, district Kathua.

3. In its order dated 15.07.2024, the writ court came to register the stand of the respondents as put forth by Mr. Ravinder Gupta, learned AAG that no work was being executed *qua* the land of the petitioners and no work was intended to be carried out that too without writ petitioners' consent.

4. Out of four writ petitioners, only one petitioner i.e. applicant-Om Parkash Singh has now stepped forward with the institution of the present contempt petition alleging that the non-applicants, who are three in numbers, are acting in violation of the mandate of order dated 15.07.2024 of the writ court. सत्यमेव जयते

5. There is a mismatch between the body of the contempt petition vis-à-vis the title of the contempt petition.

6. The contempt petition has been preferred only by the applicant-Om Parkash Singh whereas in the body of the contempt petition, it is being referred as if all the writ petitioners have come forward to allege contempt of the writ court's order. This thing is forthcoming from the repeated use of expression 'petitioners'.

7. Furthermore, nowhere in the entire body of the contempt petition, the applicant-Om Parkash Singh has adverted to the fact as

to how much land is related to him in the ownership context with respect to which the alleged acts of omission or commission amounting to contempt have taken place or taking place at the end of the respondents.

8. The very fact that the three writ petitioners have chosen not to join the applicant-Om Parkash Singh is a testament to the fact that actually there is no violation of the order dated 15.07.2024 of the writ court.

9. Otherwise also, the order dated 15.07.2024 did not mean to generate and pass any direction for the writ respondents to comply with, and as such there is no question of any contempt petition being preferred by relation to compliance of said order dated 15.07.2024.

10. If any grievance was surviving or accrued to the applicant-Om Parkash Singh, then he was supposed to act either by filing a fresh writ petition or getting the earlier writ petition revived but surely not by coming up with the contempt petition that too bereft of facts.

11. The contempt petition is, thus, **dismissed** leaving the applicant-Om Parkash Singh to pursue the appropriate legal course of action whatsoever at his disposal other than the course of contempt proceedings.

(RAHUL BHARTI)
JUDGE

JAMMU
06.06.2025

Shivalee

Whether the order is speaking:
Whether the order is reportable:

Yes/ No
Yes/No