

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

CCP(S) No. 208/2025
In WP(C) No. 1588/2025

M/s Arun Tent & Light House
Near Ram Lila Ground,
Tehsil Basohli & District Kathua
Th. its sole proprietor-Arun Sharma,
age 62 years
S/o Sh. Mansa Ram
R/o Ward No. 8,
Near Vir Sawarkar School,
Tehsil Basohli, District Kathua

.....Appellant(s)/Petitioner(s)

Through: Mr. Rahul Raina, Advocate

Vs

1. **Rakesh Manhas,
Deputy Commissioner, Kathua**
2. **Sh. Pankaj Bhagotra,
Additional Deputy Commissioner,
Basohli, Tehsil Basohli, District Kathua**
3. **Sh. Rajesh Kumar (B.D.O)
Incharge Executive Officer,
Municipal Committee, Basohli
Tehsil Basohli and District Kathua**
4. **Sh. Ajit Singh,
Block Development Officer (BDO), Bhoond
Tehsil Basohli and District Kathua**
5. **Sh. Rajesh Kumar
Block Development Officer (BDO), Basohli
Tehsil Basohli and District Kathua**

..... Respondent(s)

Through: Mrs. Monika Kohli, Sr. AAG

**CORAM: HON'BLE MR. JUSTICE RAHUL BHARTI, JUDGE
ORDER
(30.06.2025)**

- 01.** The petitioner has self invited the dismissal of this contempt petition at its very inception stage for the reason being that petitioner's writ petition **WP(C) No. 1588/2020** was invited by the petitioner's counsel to be disposed of at the very initial stage with a direction to the writ respondents to pay such an amount as was admittedly payable to the petitioner within a period of eight weeks from the date of service of the copy of the order along with the writ petition and this led to passing of an order dated 05.07.2021.
- 02.** It is not stated in the present contempt petition by the petitioner as to whether it acted in compliance of the direction as given in order dated 05.07.2021 by serving the writ respondents with a certified copy of the order along with the writ petition. There is not even a whisper of averment in the contempt petition as to when did the petitioner first send copy of order dated 05.07.2021 to the writ respondents calling upon them to act in compliance as against the said omission, learned counsel for the petitioner in the present contempt petition submits that the petitioner did the needful again by sending a copy of the order on 29.03.2025 through registered post.

03. The petitioner has been caught in delay and laches of its own making for which this Court cannot come forward in sympathizing with the cause of the petitioner and grant indulgence in the present contempt petition.
04. The very fact that the petitioner has not stated in its contempt petition as to whether it had acted timely in terms of order dated 05.07.2021 in posting the writ respondents with the notice of order dated 05.07.2021 is a pointer to the fact that the petitioner has not come forward with clean hands in the matter of maintaining the present contempt petition that too when the cause of action for the petitioner's alleged claim for payment is relatable to a cause of May 2015.
05. The present contempt petition is thus, **dismissed** as being afflicted with delay and laches.
06. The submission of the learned counsel for the petitioner is that the petitioner is having a recurring cause meaning thereby to say that it is to be left to the whims and fancies of the petitioner to choose as to what time it could come to this Court with contempt petition that too with respect to an order passed by this Court not on the merits of the case but self invited by the petitioner that led the writ petition to be disposed of with a direction to

the respondents to consider the matter of release of admitted liability in its favour.

07. This Court is not willing to buy this plea of learned counsel for the petitioner that the cause of action is recurring in the sense that the contempt petition would relate to the date of passing of order which being 05.07.2021 with respect to the writ respondents who were then holding the office and were meant to obey and carry out the compliance of the writ court direction. The said officials in 2025 are no more at their respective place of posting and therefore, the present officials owe no duty of compliance with respect to direction as passed in order dated 05.07.2021.

08. The contempt petition is accordingly, ***dismissed.***

(RAHUL BHARTI)
JUDGE

JAMMU
30.06.2025
SUNIL