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**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CONTEMPT APPLICATION (CIVIL) No. - 4120 of 2025

Ankur Singh

.....Applicant(s)

Versus

Vijay Gupta, Tehsildar, Tehsil Rudauli Ayodhya

.....Opposite Party(s)

Counsel for Applicant(s)	:	Suresh Kumar Yadav, Poonam
Counsel for Opposite Party(s)	:	

Court No. - 8

HON'BLE MANISH KUMAR, J.

The present contempt application has been preferred against the alleged non compliance of the judgment and order dated 16.01.2024 whereby the writ Court has directed the respondent to decide the case within a period of three months from the next date fixed in the case, if there is no other legal impediment in this regard.

Learned counsel for the applicant has submitted that the certified copy of the order was served on 29.01.2024 and three months' period has already expired on 29.04.2024 but the application/case of the applicant has yet not been decided.

The present contempt application is barred by Section 20 of the Contempt of Courts Act, 1971, as for the first time cause of action arose on 29.04.2024 and period of one year from the said date has expired on 29.04.2025 but the present contempt application has been filed on 08.12.2025 i.e. after expiry of more than seven months from the date when the cause of action first arose.

On being asked from the learned counsel for the applicant to address the Court on Section 20 of the Act, 1971, learned counsel for the applicant is unable to assist the court on the query put by the court to advance the submissions relating to Section 20 of the Act, 1971.

After hearing learned counsel for the applicant and going through the record of the case, it is an admitted case of the applicant that for the first time the contempt has alleged to have been committed on 29.04.2024 and as per Section 20 of the Contempt of Courts Act, 1971, the contempt petition is to be filed within a period of one year from the date the contempt has alleged to have been committed. For convenience, the Section 20 of the Contempt of Courts Act, 1971 is being reproduced hereinbelow:-

"20. Limitation for actions for contempt:- No court shall initiate any proceedings of contempt, either on its own motion or otherwise, after the

expiry of a period of one year from the date on which the contempt is alleged to have been committed."

Further, in the case of **Islammudin vs. Umesh Chandra Tiwari and Anr. [2009 (5) ADJ 656 (DB)]**, the Division Bench of this Court has held that the law laid down by the Apex Court in **Pallav Sheth vs. Costodian and Ors. [(2001) 7 SCC 549]** does not make Section 5 of the Act 1963 applicable and would not confer power upon the Court to condone or waive delay where proceedings of contempt are sought to be initiated under the Act, 1971 after one year from the date when the contempt is alleged to have been committed.

In the present case, the contempt has alleged to have been committed on 29.04.2024 and the period of one year from the said date has expired on 29.04.2025 whereas the present contempt application has been preferred on 08.12.2025 after the expiry of more than seven months. Hence, it is barred by Section 20 of the Contempt Courts Act, 1971.

In view of the facts, circumstances and discussion made hereinabove, the present contempt application is dismissed.

December 16, 2025
Ashish

(Manish Kumar,J.)