

THE HONOURABLE SRI JUSTICE S.V. BHATT

CONTEMPT CASE No.1787 OF 2013

ORDER:

The present contempt case is filed complaining violation of interim order dated 11.10.2007 in W.P.M.P.No. 28443 of 2007 in W.P.No. 21943 of 2007. The interim order reads as follows:

“I am not inclined to express any opinion with regard to the right, title and possession of the petitioners and also whether the said property belongs to the petitioners or it is a Government land or it is an assigned land. But, however, it is made clear that there cannot be any objection for the petitioners for conducting thorough survey to demarcate the land in Survey No. 384. If the petitioners are found in possession of the land in Survey No. 384, it is open for the respondents to take appropriate action against the petitioners. But, however, if the petitioners are in possession of the land in Survey No. 383 and it is not a Government land, the respondents cannot interfere with the possession of the petitioners.

Having regard to the facts and circumstances of the case, the respondents are directed not to interfere with the petitioners' possession without following due process of law.”

2. The grievance of the petitioners is that as directed by this Court, no efforts to conduct survey have been undertaken. But, still the respondents are trying to interfere with the possession of petitioners.

3. This Court through its order dated 22.11.2013 in the contempt case, directed the respondents to undertake survey operations. The respondents have placed before the Court the report dated 19.12.2013, together with a sketch showing the survey details and location of disputed properties.

4. In view of the development during the pendency of the contempt case, I do not propose to consider the grievance of

violation of the order of this Court and the contempt case is dismissed. There shall be no order as to costs.

5. Miscellaneous Petitions, if any, pending, shall also stand dismissed.

S.V. BHATT, J

27.12.2013.
vhb