

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 297 of 2015

Ravi Singh Thakur S/o Pancham Singh Aged About 54 years R/o Village : Sarora, Tah.
& P.S. Tilda, District- Raipur, Chhattisgarh

---- Petitioner

Versus

Naveen Thakur, Aged About 45 Years Nayab Tahsildar, Tilda, Raipur, P.S. & Tah.
Tilda, District- Raipur, Chhattisgarh

---- Respondent

For Petitioner - Shri H. V. Sharma, Advocate

Order On Board

09/07/2015

Heard.

1. Learned counsel for the petitioner submits that order dated 14.05.2014 passed by this Court, followed by another order dated 16.04.2015 in Contempt Petition No.171 of 2015 has not been complied with by respondent officer which is in act of willful disobedience.

2. The writ petition filed by the petitioner was disposed off vide order dated 14.05.2014 directing respondent to complete the proceedings under Section 248 of the Act as early as possible preferably within a period of four months. The Tehsildar has passed an order of eviction on 05.06.2014 (Annexure A/3). The allegation, in this contempt petition, is that once the order of eviction was passed, then eviction ought to have followed as consequence of the order of eviction which has not been done till date.

3. There is no averment in the contempt petition that the order of eviction passed by Tehsildar has attained finality, in the absence of any challenge laid to the order of eviction

before Appellate Authority by the person aggrieved. The spirit of the order of this Court therefore, cannot be said to be violated in the absence of relevant pleadings and specific averment regarding proceedings having attained finality.

4. On the short ground, I am not inclined to entertain the contempt petition.
5. Accordingly, the contempt petition is dismissed.

Sd/-

Manindra Mohan Shrivastava

J U D G E

Rekha