

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 393 of 2016

1. Tiharu Ram S/o Shri Devsingh Gond, Aged About 45 Years
2. Basanta Bai Wd/o Late Ghurau Ram, Aged About 45 Years

Both are R/o Village Mahud (B), Tahsil Gunderdehi, District Balod, Chhattisgarh

---- Petitioner

Versus

1. Rajesh Rana Collector Balod, District Balod, Chhattisgarh
2. Kumar Anand Dolgaonkar, Assistant Director (Fisheries), Balod, District Balod, Chhattisgarh
3. P.L.Yadav Sub Divisional Officer (Revenue), Gunderdehi, District Balod, Chhattisgarh(Contemnors)

---- Respondents

For Petitioner	Shri B. P. Singh, Advocate
For Respondent Nos.1 & 3	Shri Shashank Thakur, Advocate
For Respondent No.2	Shri S. Majid Ali, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

09/11/2016

1. The SDO (Revenue), Gunderdehi, District Balod is present to explain the circumstances, in which the order (Annexure-C-6) has been passed by him.
2. Shri Shashank Thakur and Shri Majid Ali, learned counsel appearing for the contemnors, would submit that on 14.01.2016, the Collector, Balod has passed an order for issuance of fresh

advertisement. For the said order, Contempt Case No.167/2016 was preferred by the petitioners, wherein the Collector informed this Court that the order dated 14.01.2016 has been withdrawn. The present contemnors were not aware of the order passed by this Court in Contempt Case No.167/2016 or the statement made by the Collector in course of hearing of the said contempt case, therefore, the SDO (Revenue) has passed the impugned order on the basis of previous order of the Collector, Balod.

3. After hearing learned counsel for the parties, this Court is satisfied that the alleged contempt has occasioned on account of some lack of understanding or for the reason that separate proceedings were drawn by the Collector, whereas the SDO (Revenue) was hearing an appellate proceeding.
4. It does not appear that the SDO (Revenue) malafidely proceeded with the hearing to favour any individual. In the considered opinion of this Court, the contempt proceeding needs to be dropped at this stage since the petitioners also state that lease of fishing rights have already been executed in their favour.
5. Accordingly, the contempt proceedings stands disposed of.

Sd/-

JUDGE

PRASHANT KUMAR MISHRA

Nirala