

HIGH COURT OF CHHATTISGARH, BILASPUR**Contempt Case (C) No.407 of 2016**

- Smt. Dhanni Bai, W/o Shri Madan Lal Jain, aged about 53 years, R/o Gandhi Chowk, Near Rajabada Chowk, Nagri, District Dhamtari (CG)

---- **Petitioner**

Versus

1. Sampat Lal Chhajed, S/o late Manak Lal Chhajed, aged about 70 years, Civil Block Colony, Nagri, District Dhamtari (CG)
2. Suresh Sacheti, S/o Late Shri Suganmal Sacheti, aged about 54 years, R/o Opposite Dena Bank, Sihawa Road, Nagri, District Dhamtari (CG)
3. Lalit Prasad Sharma, S/o Shri Bala Prasad Sharma, aged about 50 years, resident of Civil Block Colony, Nagri, District Dhamtari (CG)
4. Yashwant Patel, S/o Shri Bihari Prasad Patel, aged about 65 years, R/o Purani Basti, Ward No.15, Nagri, District Dhamtari (CG)
5. Krishna Kumar Kashyap, R/o Gudiyari, Talabpara, Ward No.13, Nagri, District Dhamtari (CG)
6. Ramratan Sahu, R/o Near Mata Talab, Ward No.13, Nagri, District Dhamtari (CG)
7. Omprakash Som, R/o Near Hanuman Mandir, Purani, Basti, Ward No.14, Nagri, District Dhamtari (CG)
8. Gajendra Kanchan, R/o Purani Basti, Ward No.14, Nagri, District Dhamtari (CG)
9. Lalit Patel, R/o Purani Basti, Ward No.15, Nagri, District Dhamtari (CG)
10. Dr. C.R. Prasanna, presently posted as Collector, Dhamtari, District Dhamtari (CG)
11. Manish Sharma, presently posted as Superintendent of Police, Dhamtari, District Dhamtari (CG)
12. Khemlal Suri, presently posted as Sub Divisional Magistrate, Nagri, District Dhamtari (CG)

13.Prem Singh Netam, Station House Officer, Police Station Nagri, District Dhamtari (CG)

---- Respondent

For Petitioner : Shri Amrito Das, Advocate.
 For Respondents 1 to 4 : Shri D.N. Prajapati, Advocate.
 For Respondent No.5 : Shri Ramnarayan Sahu, Advocate.
 For Respondents 10 to 13 : Shri Vimlesh Bajpai, Advocate.

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

17/11/2016

1. Shri Prem Singh Netam, Station House Officer, Nagri, District Dhamtari, respondent No.13 herein, is present in the Court.
2. This contempt petition arises out of the order passed by this Court in WPC No.2618/2007 restraining the defendants No.1 to 6 in the civil suit, out of whom defendants No.1 to 4 have been arrayed as respondents No.1 to 4 herein from raising any construction on Khasra No.1207, situated at Gandhi Chowk, Near Rajabada Chowk, Nagri, District Dhamtari, during the pendency of the suit.
3. Referring to photographs (Annexure-C-6), it was brought to the notice of this Court that respondents No.1 to 4 along with respondents No.5 to 9 have started raising construction of temple on the subject land in violation of this Court's order which was passed on the strength of the law laid down by the Supreme Court in SLP (Civil) No.8519/2006 (UOI Vs. State of Gujarat and others).
4. It is informed that the suit is still pending, therefore, injunction is operative. After issuance of notice of this contempt petition, building material collected and dumped on the suit land have been removed and

at present no construction is going on.

5. In view of the above, the contempt petition is disposed of with an observation that the Collector, Dhamtari shall put a Notice Board on the subject land that no construction shall be raised on the subject land as per the direction issued by the High Court in the matter of **Smt. Dhanni Bai Vs. Sampat Lal Chhajed and others** {WPC No.2618/2007} till pendency of the civil suit No.3-A/2007. However, liberty is reserved in favour of the petitioner to move again if the order passed by this Court is violated.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve