

HIGH COURT OF CHHATTISGARH, BILASPUR**Contempt Case (C) No. 491 of 2016**

Poonam Chand Jain S/o Shri Bhawarlal Jain, aged about 53 years,
R/o Shanti Vatika, Near Anuradha Apartment, Geeta Nagar, Choubey
Colony, Raipur, Chhattisgarh, 492001

---- Applicant

Versus

M. R. Janghel, Sub Divisional Magistrate (City), Room No. 07,
Collectorate Campus, Raipur, Chhattisgarh

---- Respondent

For Applicant	:	Ms. Akankasha Jain, Advocate
For Respondent	:	Shri Shivraj Singh, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board**

06.02.2017

By way of the present contempt case the petitioner has sought for initiating contempt proceedings against the respondent for the alleged willful non-compliance of the order dated 20.09.2016 passed by this Court in Cr.M.P. No. 1037/2016.

2. According to the counsel for the petitioner, the order passed by this Court on 20.09.2016 was produced before the Concerned Sub Divisional Magistrate on 29.09.2016 on which he did not honour the interim order passed by this Court and proceeded further with issuance of summons to the present petitioner and the other persons involved in the said case.

3. However, from the record it is reflected that though on the first date of hearing i.e. on 29.09.2016 the Magistrate did proceed further with the case but subsequently when the certified copy of this Court's order dated

20.09.2016 was furnished, he had stayed the further proceedings of the Court as is reflected from the order sheet dated 17.10.2016 and 29.10.2016.

4. The order of the Magistrate dated 17.10.2016 and 20.10.2016 clearly mentioning that the further proceedings shall remain stayed in the light of the interim order passed by this Court, prima facie, establishes the fact that the order passed by this Court has been honoured by the Magistrate though at a belated stage, however, no detriment was caused to the interest of the applicant.

4. Thus, this Court is of the opinion that no strong case is made out for initiating contempt proceedings against the respondent.

5. Accordingly, the instant contempt case stands rejected.

Sd/-
P. Sam Koshy
Judge