

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 551 of 2016

- Itwaru Ram S/o Samaru, Aged About 36 Years R/o Bharramuda (Mohariya Muda), Tahsil Katghora, District Korba, Chhattisgarh

---- Petitioner

Versus

1. Paharu S/o Sukul Satnami, Aged About 66 Years R/o Bharramuda, Tahsil Katghora, District Korba, Chhattisgarh
2. B.B.Panchbhai S/o Budhram Panchbhai, Aged About 48 Years, Sub Divisional Officer, Katghora, District Korba, Chhattisgarh(Contemnors)

---- Respondent

For Petitioner	Ms. Hamida Siddiqui, Advocate
For Respondent-State	Shri R. K. Mishra, Dy. AG
For Respondent Paharu	Shri Ravindra Sharma, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

18/09/2017

1. Paharu has been presented before this Court by Constable Dhannu Nirmalkar, Police Outpost Hardi Bazar, Police Station Kusmunda, District Korba, even though there is no order by this Court to arrest Paharu and present him before this Court.
2. Shri Sharma, learned counsel appearing for Paharu would submit that the amount received by him through cheque has been taken back by the concerned Land Acquisition Officer, therefore, it is clear that Paharu has not received any amount by way of land

acquisition compensation.

3. Ms Hamida Siddiqui, learned counsel for the petitioner Itwaru Ram would submit that Paharu moves before the Police every now and then for his share in the amount of acquisition, on which the concerned Police is harassing the petitioner by calling him to the police station every now and then.
4. It appears, there being dispute concerning title which is pending adjudication before this Court in Second Appeal No. 55/2005, the parties may move before the Second Appellate Court for appropriate interim relief. The amount of land acquisition compensation having not been disbursed to any of the party, no case for taking any further action in the contempt petition is made out, therefore the contempt petition is disposed of. However, it is observed that the concerned Police shall not harass one or the other party by summoning them every now and then in respect of the present land acquisition proceeding.
5. The writ petition bearing WPC No.2351/2016 and the review petition bearing REVP No.154/2016 shall be listed separately after four weeks.

Sd/-
Judge
Prashant Kumar Mishra

Sd/-
Judge
Arvind Singh Chandel