

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

C.C. No. 479 of 2017

ORDER:-

In pursuance of the order dated 28.04.2017 passed by this Court, the Advocate Commissioners have filed report along with survey map whereby it is stated that the disputed wall in the survey numbers in question is not existing.

On 16.06.2017, the learned counsel for the petitioner sought time to get instructions, as such, this matter was adjourned to 30.06.2017, on which day, same request was made, therefore, the matter was directed to be listed after two weeks. Even today, the learned counsel for the petitioner seeks further time to get instructions.

This is a Contempt Case filed alleging willful disobedience on the part of the respondents in complying with the order dated 14.09.2014 in W.P.No. 30900 of 2016 passed by this Court. The Advocates Commissioners have already filed report along with survey map, according to which, the disputed wall is not at all existing in the survey numbers in question. Till date, this fact has not been disputed by the petitioner. Hence, this Court has no reason to disbelieve the survey map filed by the Advocate Commissioners.

Hence, the respondents are hereby discharged from the contempt proceedings.

Accordingly, the Contempt Case is closed. No order as to costs.

As a sequel, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

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SURESH KUMAR KAIT, J

14.07.2017

bcj

