

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

CONTEMPT CASE No.1729 of 2018

ORDER:

This contempt case is filed seeking directions, thereby to summon the respondents and punish them for wilful violation of the order dated 12.09.2016 passed by this Court in W.P.No.27768 of 2016.

This Court, by the aforesaid order, directed the respondents not to dispossess the petitioner from the land in question.

In the counter-affidavit filed by the respondents, it is stated that the land of the petitioner has not been touched. Section 144 Cr.P.C., has been imposed in the area as some agitations were made by members of CPI and CPI (M) parties. The said agitators were arrested by registering FIR in the Police Station concerned. It is further stated that a petition to vacate the aforesaid order has been filed and the same is pending.

It is submitted by the learned Government Pleader appearing on behalf of the respondents that, pursuant to notification dated 16.05.2015, award was passed on 26.04.2016 and petitioner handed over possession of the land. Thereafter, petitioner filed the writ petition.

Fact remains that order dated 12.09.2016 passed by this Court in W.P.No.27723 of 2016 is not vacated and the same holds the field.

When the same is pointed out, it is undertaken by the respondents that till appropriate orders are passed in the vacate petition, they shall not enter into the land of the petitioner.

Recording the aforesaid undertaking of the respondents, the contempt case is closed and the respondents are discharged from contempt proceedings.

As a sequel, miscellaneous petitions, if any pending, shall stand closed.

SURESH KUMAR KAIT, J

August 10, 2018
MRR

