

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Contempt Petitioner No. 130 of 2005

Arun Pathak, S/o Jwala Prasad Pathak, Aged about 31 years, R/o Naya Para Jagdalpur at present near Pramod Provision Store Vrindawan Colony, Jagdalpur, District Bastar, Chhattisgarh.

---- Appellant

Versus

Gyani Hajrat Singh S/o Sardar Balram Singh, Aged about 65 years, R/o Shanti Nagar, Ward Frezarpur, Jagdalpur, District Bastar, Chhattisgarh.

---- Respondent

For Petitioner:	: None.
For Respondent:	: None.

Single Bench: Hon'ble Shri Sanjay Agrawal, J
Order On Board

18.03.2019

1. Vide order dated 07.08.2013, this Court has observed prima-facie that the Respondent has committed contempt of lawful authority of this Court by dispossessing the petitioner from the suit property, i.e., Sheet No. 52, Plot No. 28/1 and area 1500 sq.ft and the house constructed thereupon in wilful disobedience of the order dated 24.12.2004 passed in Second Appeal No. 511/2004 and, while exercising the power enumerated in terms of Rule 357 (3) as contained in Part-F of Chapter VIII of the High Court of Chhattisgarh Rules 2007 has framed the following charge-

“That you Gyani Hajrat Singh forcibly dispossessed the petitioner-Arun Pathak from the suit property, i.e., sheet No. 52, Plot No. 28/1 area 1500 square feet and the house constructed thereupon on 18.04.2005 in willful disobedience of the stay order dated 24.12.2004 granted by this Court in Second Appeal No. 511/2004.”

2. After framing the aforesaid charge, the matter was listed from time to time and vide order dated 18.02.2016, a direction was issue to the petitioner to furnish the list of witnesses and accordingly, it was furnished on 02.03.2016. Although, the list of the witnesses was furnished by the Petitioner but has failed to produced any of the witnesses in order to prove the aforesaid charge and did not appear when the matter was listed on 28.04.2017.
3. In view of the aforesaid facts, in absence of examination of any of the witnesses, I am inclined to drop this contempt proceeding.
4. The Contempt Petition is, accordingly, dismissed, no order as to costs.

Sd/-
(Sanjay Agrawal)
JUDGE

vivek