

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CONT No. 289 of 2017

1. Prashant Sharma, S/o Shiv Charan Prasad Sharma, Aged About 40 Years, R/o Near Hanuman Mandir, Ramsagar Para, Raipur, District Raipur, Chhattisgarh

---- Applicant

Versus

1. Smt. Saraswati Dewangan, W/o Narendra Dewangan, Aged About 30 Years, R/o Chandra Shekhar, Ashwani Nagar, Raipur, District Raipur, Chhattisgarh

---Respondent

For Applicant	:	None
For Respondent	:	Mr. Rajat Agrawal, Advocate

Hon'ble Shri Justice P. Sam Koshy
Order on Board

10.12.2019

1. The present Contempt Petition has been filed alleging non-compliance of the Order dated 13.10.2014 passed in First Appeal No. 138 of 2014. Vide the said order, this Court had directed the parties to maintain status-quo as it existed on 13.10.2014, so far as the disputed property is concerned.
2. Today when the matter is called, there is nobody on behalf of the applicant/petitioner.
3. The counsel appearing for the respondent submits that the contempt petition has been filed against the petitioner/applicant with malafide intentions.

4. According to the counsel appearing for the respondent, during pendency of the proceeding before the Court, the Municipal Corporation-Raipur had issued a notice to the petitioner/applicant in respect of the dilapidated condition of the disputed property. According to the counsel for the respondent, the Municipal Corporation-Raipur had asked the respondent-owner of the property for either repair of the damaged property or for demolition of the damaged property.
5. Pursuant to the notice issued by the Municipal Corporation-Raipur, the respondent had tried to carry-out certain repair work on the disputed property, so as to ensure the safety of the building and also the persons residing in it. He further submits that subsequent to the present contempt petition being filed, the respondent has stopped all further repair and construction work over the said property.
6. According to the counsel for the respondent, after the contempt petition has been filed, there is no further repair work carried-out neither would the respondent at this juncture pending first appeal make any further alteration or repair over the disputed property.
7. Given the said undertaking filed by the respondent, so far as maintaining the status-quo as ordered by this Court on 13.10.2014 and a further undertaking that they shall not carry-out any further repair work or any other construction work in the disputed property without leave of the Court in First Appeal No. 138 of 14. The present Contempt Petition in its present form stands disposed-off. However, the applicant would be at liberty to approach the Court, in case, if

there is any further interference caused by the respondent by violating the interim order passed on 13.10.2014.

8. The Contempt Petition thus stands disposed-off.

**Sd/-
(P. Sam Koshy)
Judge**