Sr. No. 224

HIGH COURT OF JAMMU AND KASHMIR
AT JAMMU

CPOWP 45/2017

(Through video conference)

Mohammad Ashfaq .....Petitioner(s)/Appelant(s)

Through :- None.

V/s

M. H. Malik .....Respondent(s)

Through :- Mr. F.A. Natnoo, Adv.

Coram: HON'BLE MR. JUSTICE TASHI RABSTAN, JUDGE

ORDER

This contempt petition has been filed for non-compliance of judgment dated 08.11.2016 passed in OWP No.1546/2016, whereby the writ petition was allowed by directing the respondent to decide the revision petition filed by the petitioner, titled as, Mohammad Ashfaq Vs. Deputy Custodian Evacuee Property, Poonch and anr., expeditiously preferably within a period of three months from the date of receipt of certified copy of the judgment.

Statement of facts has been filed contending therein that after receiving the copy of judgment, the respondent fixed the revision petition on 27.12.2016, 13.02.2017, 18.02.2017, 10.04.2017, 26.05.2017, 12.07.2017, 24.08.2017 and 09.10.2017. However, neither the petitioner nor his counsel has ever been present for pursuing the revision petition filed by the petitioner and the same is pending as on 09.02.2018.

In view of the statement of facts filed by the respondents, no question arises for initiating contempt proceedings against the respondent, rather the petitioner ought to have appeared in the matter for pursuing the revision petition, if the same has not already been decided.

The contempt petition is, accordingly, dismissed. Rule issued, if any, shall stand discharged.

JAMMU **(TASHI RABSTAN)**
18.12.2020 **JUDGE**
(Anil Sanhotra)



ANIL SANHOTRA
2020.12.28 16:10
I attest to the accuracy and
integrity of this document