

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 731 of 2020

1. Gaukaram Verma, S/o Late Shri Ramsukh Verma, Aged About 72 Years,
2. Sanat Verma, S/o Shri Gaukaram Verma, Aged About 52 Years,
3. Anup Verma, S/o Shri Gaukaram Verma, Aged About 35 Years,

All are R/o Village Dongitarai, Post Tehsil And Police Station: Saja,
District : Bemetara, Chhattisgarh

---- Applicants

Versus

1. Shri Shiv Anant Tayal, Collector Bemetara, District : Bemetara, Chhattisgarh
2. Shri Ashutosh Chaturvedi S.D.O.(R), Saja, District : Bemetara, Chhattisgarh
3. Shri Thar Singh Khare, Tahsildar, Saja, District : Bemetara, Chhattisgarh
4. Yashwant Kumar, S/o Shri Gaukaram Verma, Aged About 48 Years, R/o Village Dongitarai, Post, Tehsil And Police Station Saja, District : Bemetara, Chhattisgarh

-----Respondents

For Applicants	:	Mr. Pawan Shrivastava, Advocate
For Respondents	:	None

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

08.10.2020

1. The present contempt petition has been filed alleging wilfull non-compliance of the Order dated 12.03.2020 passed in WPC No. 896 of 2020. The order in the said writ petition was passed directing the parties to maintain status-quo. The applicants herein are the

respondents in the said writ petition.

2. The contempt petition has been filed alleging violation of the order granted by this Court by the petitioner himself. It is contended that the petitioners also has been restrained by the interim protection but has started some construction activities on the disputed property.
3. At the outset, this Court is of the opinion that since it was only for maintaining status-quo as it existed then, it was required for applicant to approach the Court by moving an appropriate application in the same writ petition. The applicants herein seems to have not adopted the same and have tried to resort to the contempt proceedings. This Court is of the opinion that perusal of the record would show that the contention raised by the applicants herein is not one which would come within the ambit of the contempt of court rather it would have to be adjudicated upon in the same writ petition which is pending consideration before this Court on an appropriate application be moved by the applicants.
4. The contempt petition, accordingly stands disposed off, reserving the right of the applicants to avail other remedies open to them.

Sd/-
(P. Sam Koshy)
Judge