

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**CONTEMPT CASE (CIVIL) NO. 36 OF 2021**

- Parmanand Sahu, S/o Shri Nihali, aged about 50 years, R/o Village Sursabandha, Tahsil Rajim, Block Fingeshwar, District Gariyaband (C.G.)

... Petitioner**versus**

1. G.D.Wahile, the Sub Divisional Officer (Revenue), Gariyaband, District Gariyaband (C.G.)
2. Ankur Ratre, Naib Tahsildar, Tahsil Rajim, Gariyaband, District Gariyaband (C.G.)
3. Sushil Kumar Sahu, Patwari, P.H.No.31, Gram Panchayat Sursabandha, Block Fingeshwar, Tahsil Rajim, District Gariyaband (C.G.)
4. R.K. Sahu, Town Inspector, Police Station Rajim, District Gariyaband (C.G.)
5. Smt. Bhojbai Tandiya, Sarpanch, Gram Panchayat Sursabandha, Block Fingeshwar, Tahsil Rajim, District Gariyaband (C.G.)
6. Pratap Sahu, President, Gram Sabha, Gram Panchayat Sursabandha, Block Fingeshwar, Tahsil Rajim, District Gariyaband (C.G.)
7. Adhari Ram Sahu, (Vice- President) Gram Sabha, Gram Panchayat Sursabandha, Block Fingeshwar, Tahsil Rajim, District Gariyaband (C.G.)
8. Anil Tandiya, Village Kotwar, Gram Panchayat Sursabandha, Block Fingeshwar, Tahsil Rajim, District Gariyaband (C.G.)
9. Madan Ram, Village Kotwar, Gram Panchayat Sursabandha, Block Fingeshwar, Tahsil Rajim, District Gariyaband (C.G.)
10. Smt. Ganga Bai Sahu, W/o Toran Sahu, Panch, Gram Panchayat Sursabandha, Block Fingeshwar, Tahsil Rajim, District Gariyaband (C.G.)
11. Smt. Dukhin Bai Sahu, W/o Mahettar Sahu, Mahila President Gram Panchayat, Sursabandha, Block Fingeshwar, Tahsil Rajim, District Gariyaband (C.G.)
12. Smt. Dukhin Bai Sahu, W/o Dani Sahu, Mahila Member Gram Panchayat Sursabandha, Block Fingeshwar, Tahsil Rajim, District Gariyaband (C.G.)
13. Smt. Bisni Bai Sahu, W/o Gajju Sahu, Mahila Member Gram Panchayat Sursabandha, Block Fingeshwar, Tahsil Rajim, District Gariyaband (C.G.)
14. Smt. Manbai Sahu, W/o Chokhelal Sahu Panch, Gram Panchayat Sursabandha, Block Fingeshwar, Tahsil Rajim, District Gariyaband (C.G.)
15. Smt. Duleshwari Sahu, W/o Bahur Sahu, Panch, Gram Panchayat Sursabandha, Block Fingeshwar, Tahsil Rajim, District Gariyaband (C.G.)
16. Smt. Rekha Bai Sahu, W/o Toran Sahu, Panch, Gram Panchayat Sursabandha, Block Fingeshwar, Tahsil Rajim, District Gariyaband (C.G.)
17. Sewakram, S/o Kartikram Sahu, R/o Village Sursabandha, Block Fingeshwar, Tahsil Rajim, District Gariyaband (C.G.)
18. Brijbhushan, S/o Brijlal Sahu, R/o Village Sursabandha, Block Fingeshwar, Tahsil Rajim, District Gariyaband (C.G.)

... Respondents

For Petitioner	:	Mr. Vineet Kumar Pandey, Advocate.
For Respondents 1 to 3	:	Mr. Sudeep Verma, Dy. Govt. Adv.
For Respondents 5 to 18:		Mr. Devershi Thakur and Mr. J.K. Gupta, Advocates.

Hon'ble Shri Justice P. Sam Koshy
Order on Board
[01/12/2021]

1. The present Contempt Petition has been filed by Petitioner alleging willful disobedience of the Order dated 5.11.2020 passed by this Court in W.P.(C) No.2630/2020.
2. The allegations made by the Petitioner is that pursuant to the Order passed by this Court, the Respondents in contravention of the same have entered the field in possession of the Petitioner and have harvested the field.
3. This Court on the previous date of hearing have asked the Respondents No.5 to 18 to remain present before this Court and in compliance of the Order of this Court they are present in the Court today.
4. During the course of hearing, learned Counsel for Respondents No.5 to 18, on instructions of Respondents No.5 and 6, submits that on account of the Paddy getting destroyed and decayed, the Gram Sabha has sold the Paddy with the permission of the Collector and the entire amount has been deposited in the Account of the Gram Panchayat, Sursabandha, Tahsil Rajim, District Gariyaband.
5. Given the facts and circumstances, since the Paddy has already been disposed of and the amount stands deposited in the Account of the Gram Panchayat and further the statement being made by learned Counsel for Respondents No.5 to 18 that thereafter the Gram Sabha itself has called a meeting on 11.11.2020 and has resolved not to further interfere with the property in possession of the Petitioner till the outcome of W.P.(C) No.2630/2020, this Court is of the opinion that the present Contempt Petition on the said undertaking can be disposed of and it is accordingly disposed of.

6. However, it is directed that till the W.P.(C) No.2630/2020 is finally decided, the amount recovered from the Paddy which was sold by the Respondents and which is lying deposited in the Account of the Gram Panchayat should not be released or should not be utilized for any other purpose. It should be retained by the Gram Panchayat till the outcome of the W.P.(C) No.2630/2020.

7. Contempt Petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge