

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****CONT No. 303 of 2021**

Sameer Sharma S/o Ram Pratap, Age 68 years, Occupation Retired (SBI), R/o B-57, Samadhya Colony Gwalior (M.P.) Mob. 9977343478, 7999897035 (W.Ap)

**---- Petitioner****Versus**

1. Neelmani Dubey, Naib Tahsildar, Jamgaon-R, Patan, Durg Chhattisgarh
2. Anubhav Sharma, Tahsildar Patan, Tahsil Patan, District Durg Chhattisgarh
3. Vinay Kumar Poyam, S.D.O.(Rev.) Tahsil Patal, District Durg Chhattisgarh
4. Ankit Anand - Collector, District Durg Chhattisgarh

**---- Respondents**


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|---------------------------|---|-----------------------------------------|
| For Petitioner            | : | Mr. Sameer Sharma, petitioner in person |
| For Respondents 1, 3 & 4: | : | Mr. Vikram Sharma, Advocate             |
| For Respondent no.2       | : | Mr. Anoop Majumdar, Advocate            |

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**Hon'ble Shri Justice P. Sam Koshy****Order On Board****17.09.2021**

1. The present contempt petition has been filed alleging the non-compliance of the order passed by this Court on 13.01.2020 in WPS No. 4579/2019.
2. It would be relevant at this juncture to take note of the operative part of the order passed by this Court, which is reproduced hereinunder:

“Given the said facts and circumstances of the case, this Court is of the view that no fruitful purpose would be served in keeping the writ petition pending rather ends of justice would meet particularly taking into consideration the age of the petitioner and the fact that there are more than a couple

of orders passed by the Nayab Tahsildar, Jamgaon-R, Tahsil Patan, District Durg, directing the respondent no. 1 to 4 ensuring that the order of the Revenue Authority i.e. Nayab Tahsildar stands complied with at the earliest preferably within a period of four months from the date of receipt of copy of this order.”

3. The respondents have filed their reply and along with their reply they have produced certain documents particularly the order of Naib Tahsildar dated 29.06.2020 i.e. the order of the Naib Tahsildar, Jamgaon-R, Tahsil Patan, District Durg. In the said order he has specifically stated that in compliance of the order of this Court a demarcation of the property in respect of land situated in Khasra Nos. 846/1, 847, 848 & 906 was done. Thereafter, the encroachers have also been removed from the said property and as of now the property is free from encroachment and the property has also been handed over to the petitioner on 24.06.2020. The respondents have also produced a document by which it is reflected that the petitioner in person has already preferred an appeal challenging the order of the Naib Tahsildar before the Sub Divisional Officer (Revenue), Patan, district Durg.
4. Given the fact that the Naib Tahsildar has submitted his report stating that the demarcation has been done and the property is free from all the encroachment and the property has also been handed over to the petitioner and that the order of the Naib Tahsildar also being subjected to challenge by the petitioner himself before the Sub Divisional Officer (Revenue), Patan, this Court is of the opinion that the order of this Court stands complied with.
5. The further remedy available to the petitioner of assailing the order of the Naib Tahsildar has also been availed by the petitioner by preferring an appeal to the Sub Divisional Officer. Under the circumstances, the

contempt petition stands disposed of and the respondent-contemnors stand discharged from the contempt proceedings. The right of the petitioner however stands reserved for resorting other legal remedies available to him under law.

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