

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CONTEMPT CASE No. 315 of 2021**

Manish Kumar Agrawal, S/o Late Sh. Shankar Lal Agrawal, aged about 50 years, R/o Gondpara, Subhash Nagar, Bilaspur, District Bilaspur (CG)

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

Saransh Mittar, District Collector, Bilaspur (CG)

---- **Respondent**

For Petitioner : Shri Kishan Lal Sahu, Advocate

For State/respondent : Shri Mateen Siddiqui, Dy. A.G.

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

24/03/2021

(1)The present contempt petition has been filed alleging willful non-compliance of the order dated 12.06.2020 passed by this Court in Writ Petition (C) No. 1234/2020. For proper adjudication of the contempt petition it would be more appropriate to reproduce the observations of this Court while disposing of the writ petition.

“Let the petitioner therefore approach the respondent- Collector, Bilaspur with a claim for grant of alternative suitable land somewhere else, in lieu of the present land from where he may be

dislocated. That, the respondent, in turn, shall consider the same in accordance with rules, regulations and the scheme, if any, applicable including the aspect whether the petitioner would fall in a category in which he would be entitled for the same. In the event if the petitioner make such an application, it is expected that the respondent will take a prompt decision. However, this shall not hamper dislocation of the petitioner as of now for which the Corporation may give a clear 7 days period enabling the petitioners to shift before taking any coercive action.”

(2)The contention of the learned counsel for the petitioner is that subsequent to the disposal of the writ petition inspite of the petitioner having approached the respondent. They have not taken any decision on the application that the petitioner has submitted. Though there was a specific direction for deciding the same and according to the rules, regulations and the scheme.

(3)Shri Mateen Siddique learned counsel appearing for the respondent an advance copy submit that the petitioner has

while filing the contempt petition suppressed the fact that his application before the Collector has already been considered while detailed reasoned order was passed by the Nazul Officer according to the rules and regulations probably as early as on 22.07.2020 and as such the order passed by this Court stands fully complied with in letter and spirit and no contempt is made out.

(4) It is further the contention of the learned counsel for the respondent is that this decision dated 22.07.2020 is already part of the writ appeal which is pending before the division Bench where the applicant herein has himself questioned the order of this Court before the division Bench in Writ Appeal No. 293/2020.

(5) In view of the said submission by the counsel for the respondent this Court is of the opinion that in the light of the order dated 22.07.2020 passed by the Nazul Officer the order passed by this Court stands duly complied with, as such no further contempt made out and the contempt petition, accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge