Court No. - 6

Case :- CONTEMPT APPLICATION (CIVIL) No. - 4484 of 2024

Applicant :- Ram Dev And Another
Opposite Party :- Sri Anand Prakash Rai,Naib Tehsildar Aamaniganj, Ayodhya
Counsel for Applicant :- Ajay Kumar Pandey

Hon'ble Alok Mathur,J.

1. Heard Ms. Ritu Mishra holding brief of Sri Ajay Kumar Pandey for the applicant.

2. It has been submitted that the petitioner had filed petition seeking a direction for expeditiously disposal of his application under Section 34 of U.P. Revenue Code which was pending before Naib Tehsildar, Amaniganj, Tehsil - Milkipur, District Ayodhya. The petition was disposed of with a direction to the opposite parties to conclude the proceedings as per law without granting any unnecessary adjournment, preferably within four months from the next date fixed, if there is no other legal impediment.

3. The said order was served by means of an application dated 12.2.2024 in the court of the opposite parties but the allegation is that the same has been deliberately and willfully not decided despite the order of this Court dated 8.2.2024 clearly directing him to decide the same within four months but a perusal of the order sheet indicates that on 9.7.2024, 23.7.2024, 26.7.2024, 6.8.2024, 12.8.2024 and 20.8.2024 the parties did not appear before the opposite party as there was call for boycott by the local bar association and on the remaining days no work has been transacted and in aforesaid circumstances the petitioner has submitted that the opposite party is guilty of wilful and deliberate violation of the order of this Court.

4. Considering the aforesaid facts, this Court notices that adjournments are repeatedly being sought by counsel for the parties though a condition was laid down by the court that without granting any unnecessary adjournments and further condition was placed that the matter may be decided within four months in case there is no legal impediment. The order sheet clearly indicates that the case could not be proceeded or decided because on more than seven occasions the counsel for the parties abstained from appearing in the court due to call for boycott and accordingly, in the aforesaid circumstances it cannot be said that the opposite party is guilty of deliberate and wilful violation of the order of this Court dated 8.2.2024.

Accordingly, this Court does not find any merit in the present contempt application.

5. However, it is provided that the opposite party shall proceed to consider and decide the application of the petitioner under Section 34 of U.P. Revenue Code within next two months and the petitioner undertakes to appear before the court concerned on all the dates fixed in the case.

6. With aforesaid direction the application stands **disposed of.**

(Alok Mathur, J.)

Order Date :- 25.11.2024
RKM.

Digitally signed by :-
RAKESH KUMAR MAURYA
High Court of Judicature at Allahabad,
Lucknow Bench