

**Hon'ble B.C. Kandpal, J.**

Sri Lalit Belwal, Advocate for the petitioner.

Sri M.C. Tiwari, learned Additional Chief Standing Counsel for the State/respondents.

By way of this contempt petition under Section 12 of the Contempt of Court Act, the petitioner has prayed for issuing notices to the respondents and punishing them for non compliance of the order dated 22.07.2004, passed by learned Single Judge of this Court in Writ Petition No. 605 (M/S) 2004, Pani Ram Vs State of Uttaranchal & another.

The relevant portion of the judgment and order dated 22.02.2007 passed by the learned Single Judge of this Court is as under:-

*"..... Having regard to the facts and circumstances the case, it is provided that in case the petitioner falls within the category of persons whose land can be declared as freehold land and if he has completed all the formalities, the appropriate authority is directed to decide the application of the petitioner by a speaking order within a period of one month from the date of production of certified copy of this order.*

*Subject to above, the writ petition is disposed of finally."*

The affidavit of compliance has been filed by the respondent. Learned Standing Counsel for the State has submitted that after the aforesaid order, the case of the petitioner was considered and the application of the petitioner was rejected vide speaking order dated 18.05.2007 by the then District Magistrate, Nainital. It is, therefore, clear that the respondents have considered the case of the petitioner and thereafter rejected his application.

In view of the above, I do not find any justification to continue the proceedings under the Contempt of Court Act against the respondents.

Accordingly, the contempt petition is dismissed.

The notices issued against the respondents are hereby discharged.

**(B.C.K., J.)**

22.05.2009

ASWAL