

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT  
JAI PUR BENCH, JAI PUR

**O R D E R**

S.B. Civil Contempt Petition No.1467/2014  
(Pradeep Kundu v. Shri Pawan Arora & Ors.)

Date of Order: 30/11/2015

PRESENT  
HON' BLE MR. JUSTICE KANWALJIT SINGH AHLUWALIA

Mr. Sudesh Bansal, for the petitioner.  
Mr. Rajendra Prasad, AAG, Ms. Anamika Arora and Mr.  
Anoop Pareek, for the respondents.

In pursuance of the order dated 27.11.2015 passed by this court, contemner-respondent No.1 Shri Pawan Arora, Secretary, Jaipur Development Authority, is present in court.

This court has drawn attention of the Secretary, Jaipur Development Authority to the fact that numerous cases pending against the Jaipur Development Authority are not being attended in right earnest. It has also been brought to the notice of the Secretary, Jaipur Development Authority that number of cases have to be unnecessarily adjourned since service is not affected upon the Jaipur Development Authority.

The Secretary, Jaipur Development Authority has assured this court that one panel counsel shall always remain present in the court to accept notice on behalf of the Jaipur Development Authority.

During the course of submissions, the Secretary, Jaipur Development Authority has very fairly stated that the Jaipur Development Authority is embroiled in about ten thousand cases out of which numerous are contempt petitions. In number of contempt petitions, various coordinate Benches of this court

have issued a direction to the Jaipur Development Authority to decide the representations of the persons who had approached this court. Number of contempt petitions are listed for issuing a direction to the Jaipur Development Authority to decide the representations.

The Secretary, Jaipur Development Authority has assured this court that in all pending cases, representations shall be decided within one month from today.

Shri Rajendra Prasad, Learned Additional Advocate General, on instruction from the Secretary, Jaipur Development Authority has further stated that the Jaipur Development Authority will make a request to the Secretary, Rajasthan State Legal Services Authority to explore the possibility for holding Lok Adalat for redressal of grievance of the litigants pertaining to the cases where Jaipur Development Authority is a party. Shri Rajendra Prasad has submitted that to reduce number of pending litigation, all efforts shall be made that the disputes are amicably settled in Lok Adalats to be held under the aegis of Rajasthan State Legal Services Authority and the Jaipur Development Authority.

So far present case is concerned, the Deputy Commissioner, Zone-5, Jaipur Development Authority has already decided the representation of the petitioner as per direction issued by the coordinate Bench.

Grievance of the petitioner was that the Jaipur Development Authority be directed to remove

encroachment.

Shri Sudesh Bansal learned counsel for the petitioner has submitted that on the day the Secretary, Jaipur Development Authority was called by this court, for the mala fide reasons on the said date itself i.e. 27.11.2015, a notice was issued to the petitioner to remove the encroachment. Shri Sudesh Bansal states that from action of the Jaipur Development Authority it can be safely inferred that Jaipur Development Authority intended to overawe the petitioner not to pursue the present petition.

Shri Rajendra Prasad has strongly objected to the above contention raised by Shri Sudesh Bansal. He contends that in pursuance of the order passed by the Tribunal, encroachment is required to be removed. Shri Rajendra Prasad further submits that the Jaipur Development Authority is taking active steps to remove all the encroachments from the city of Jaipur.

Taking note of the submissions advanced by Shri Sudesh Bansal and Shri Rajendra Prasad, liberty is granted to the petitioner to file reply to the show cause notice and project therein that action of the Jaipur Development Authority is mala fide. Petitioner may for redressal of his grievance file a separate writ petition in accordance with the provisions of law.

Since representation in pursuance of the order passed by this court on 9.1.2014 in S.B. Civil Writ Petition No. 4501/2011 has been decided by the Deputy Commissioner, Zone-5, Jaipur Development Authority, there is a compliance of the order passed by this

4.

court and hence, nothing survive in the present contempt petition. It is hereby, dismissed.

A copy of this order be handed over to Shri Rajendra Prasad, learned AAG, under the seal and signature of court master for onward transmission and compliance.

(KANWALJIT SINGH AHLUWALIA), J.

*Govind/-*

*All corrections made in the judgment/order have been incorporated in the judgment/order being emailed.*

*Govind Sharma, Sr.PA*