

Court No. - 36

Case :- CONTEMPT APPLICATION (CIVIL) No. - 166 of 2020

Applicant :- Pramendra

Opposite Party :- Sri Manoj Kumar Singhal, Deputy Director Of Consolidation/ A.D.M. Bulandshahar

Counsel for Applicant :- Surendra Pratap Singh

Hon'ble Mahesh Chandra Tripathi,J.

Heard learned counsel for the applicant and learned Standing Counsel.

The applicant is before this Court against the wilful defiance of the order dated 22.10.2029 passed in Writ Petition No.2472 of 2019 (Pramendra v. Addl. Collector & Anr.), which for ready reference is quoted as under:-

"The present writ petition has been filed against the order dated 6.5.2019 passed by the Deputy Director of Consolidation whereby the Deputy Director of Consolidation has allowed the restoration application filed by the Opposite Party No.2 and after recall his orders dated 9.9.2013 and 3.11.2016 has restored his previous order dated 13.1.2005.

It has been stated in the writ petition that the order dated 13.1.2005 passed by the Deputy Director of Consolidation was set aside by this Court vide its order dated 5.1.2007 passed in Civil Misc. Writ Petition No.47147 of 2005. It has been further stated in the writ petition that the order dated 6.5.2019 was passed ex-parte against the petitioner and without giving the petitioner any opportunity of hearing. As it has been stated in the writ petition that the order dated 6.5.2019 was passed by the Deputy Director of Consolidation without giving any opportunity of hearing to the petitioner, the petitioner is entitled to file recall application praying for recall of the aforesaid order dated 6.5.2019. The petitioner may file recall application before the Deputy Director of Consolidation, Bulandshahr praying for recall of the order dated 6.5.2019 within 15 days from today which shall be decided by the Deputy Director of Consolidation within one month from the date of filing of the same.

With the aforesaid directions, the writ petition is disposed of."

In response to the order passed by this Court, learned counsel for the applicant has filed supplementary affidavit bringing on record the ordersheet of the proceeding in question. From perusal of the same, this is apparent that there is no wilful defiance of the writ Court order in question and regular dates are being fixed. It is also apprised that next date fixed in the matter is 03.02.2020.

Considering the facts and circumstances of the case, the contempt application stands **disposed of** asking the authority concerned to decide the proceeding in question in the light of the writ Court order in question preferably within three weeks from the date of production of certified copy of this order. The notices, if any, stand discharged.

Order Date :- 31.1.2020

SP/