

HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR

S.B. Writ Contempt No. 688/2020

Govind Singh & Anr.

-----Petitioners

Versus

Deep Singh & Anr.

-----Respondents

For Petitioner(s)	:	Mr. Shreedhar Purohit Mr. Ramsukh Mali
For Respondent(s)	:	Mr. Loonkaran Purohit Mr. Moti Singh Rajpurohit

HON'BLE MS. JUSTICE REKHA BORANA
Order

14/05/2024

1. Vide order dated 16.04.2024, it was observed by this Court as under :

"2. Evidently, respondent No.2 is a government official and despite service, none has put in appearance on her behalf. The inaction on her part, despite the disobedience of the interim order dated 02.08.2018 being reported/confirmed by the Patwari vide his report dated 24.06.2020 (Annexure-3), is evident on record.

3. In view of the same, it is directed that respondent No.2 shall remain present before this Court on the next date of hearing to show cause as to why she not be punished for non-compliance of the orders of this Court."

2. Today, learned counsel Mr. Loonkaran Purohit puts in appearance on behalf of the respondents and submits that he was not aware of the order dated 16.04.2024 as he could not appear on the said date.

3. Learned counsel for the petitioners also submits that the copy of the order dated 16.04.2024 was not served in the office of learned AAG as directed by this Court.

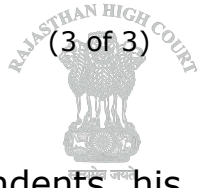
4. Learned counsel for the respondents submits that the present was a dispute between the private parties and on a representation being made by the petitioners regarding violation of the interim order dated 02.08.2018 of this Court, the Tehsildar, Rani District Pali directed the Patwari, Rani to ascertain the situation and report qua the same. As per the report, admittedly, the persons named therein had encroached upon the land of the petitioners and taken over the possession. But the land in question being not a Government land, no action was required to be taken by the respondent authorities.

5. It is clear that interim order dated 02.08.2018, of which, the contempt is alleged, was passed in a petition wherein the respondent authorities were also impleaded as the respondents. Therefore, it cannot be argued/submitted on behalf of the respondents that they were not under obligation to comply with the order dated 02.08.2018. No reply to the contempt petition has been preferred on behalf of the respondent authorities.

6. In view of the same, let a reply/compliance report be filed by the next date. In absence thereof, respondent No.2 shall remain present before this Court on the next date of hearing to show cause as to why she may not be punished for non-compliance of the orders of this Court.

7. List the matter on 30.05.2024.

8. After the above order been dictated, learned counsel Mr. Moti Singh Rajpurohit mentioned that although he has filed power on



behalf of the private respondents, his name is not reflected in the cause list.

A perusal of the record shows that no P/A as alleged, is available on record. However, let the name of Mr. Moti Singh Rajpurohit be reflected in the cause list as counsel for the private respondents.

(REKHA BORANA),J

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