

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Contempt Petition No.127/2025

Jyoti Bhadana Wife of Sh. Vikram Bhadana

-----Petitioner

Versus

Sh. Shaitan Singh Yadav & Ors.

-----Respondents

For Petitioner(s)	:	Mr. J.P. Goyal, Sr. Advocate assisted by Mr. Ram Babu Khandelwal & Ms. Ronak Bansal
For Respondent(s)	:	Mr. R.K. Mathur, Sr. Advocate assisted by Mr. Lucky Sharma & Mr. Deependra Yadav Mr. Jai Raj Tantia Mr. Manoj Choudhary with Ms. Pooja Dixit & Mr. Yadhvender Patel on behalf of Mr. G.S. Gill, AAG

HON'BLE MR. JUSTICE ANAND SHARMA

Order

28/01/2026

This contempt petition has been filed by the petitioner alleging wilful and deliberate disobedience of order dated 08.02.2024 passed by Land Settlement Officer-cum-Revenue Appellate Authority, Alwar.

At the outset, learned counsel for the respondents raised a preliminary objection that contempt petition under Section 12 of the Contempt of Courts Act, 1971 (for short, 'the Act of 1971'), alleging non-compliance of an order passed by the Revenue Court cannot be directly filed by the petitioner before this Court and the proper procedure would be to file the same before the concerned Court and in case, concerned Court after preliminary enquiry deems it proper, may refer the contempt petition to this Court.

Learned counsel for the respondents relies upon Section 10 of the Act of 1971, where this Court has power to punish for contempt of Sub-ordinate Courts also. He further submits that the term 'Sub-ordinate Court' is to be read in consonance with Article 235 of the Constitution of India. The Revenue Court not being Sub-ordinate Court to this Court, therefore, power to punish for contempt cannot be exercised directly without the issue being referred by the Competent Authority to this Court.

Per contra, learned Senior Counsel appearing for the petitioner relied upon Articles 215 & 227 of the Constitution of India as well as the judgment delivered by the Hon'ble Supreme Court in the case of **S.K. Sarkar, Member, Board of Revenue, U.P., Luchnow vs. Vinay Chandra Misra** reported in **1981 (1) SCC 436**, wherein it has been held that since under Article 227 of the Constitution of India, the High Court has the power of superintendence over all the Courts and Tribunal to order directly in relation to which it exercise jurisdiction, the Revenue Courts, therefore, would also be considered Sub-ordinate to the High Court for the purposes of Section 10 of the Act of 1971.

This Court finds that the objection raised by the learned counsel for the respondents has got larger ramification as it would affect number of contempt petitions directly entertained by this Court. Hence, this Court requests learned Advocate General to assist this Court in this matter.

Learned counsel for the petitioner is directed to serve two copies of the contempt petition along with copy of this order in the office of learned Advocate General.



[CCP-127/2025]

Office is directed to reflect name of Mr. Sheetanshu Sharma, associate of learned Advocate General, in the cause list as counsel for the respondents.

Let the matter be listed on 23rd February, 2026.

(ANAND SHARMA),J

DAKSH/33