

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Contempt Petition No. 407/2023

IN

D.B. Civil Special Appeal (Writ) No.780/1997

Tejkaran Choudhary Son of Shri Kalu Ram Choudhary, aged about 30 Years, resident of Village Ramola, Post Bagru, District Jaipur (Raj.).

-----Petitioner

Versus

1. Shri Kunji Lal Meena, Principal Urban Development And Housing Department, Secretariat, Jaipur (Raj.).
2. Shri Ravi Jain, The Commissioner, Jaipur Development Authority, J.L.N Marg, Jaipur (Raj.).
3. Shri Ujjwal Rathore, Secretary, Jaipur Development Authority, J.L.N Marg, Jaipur (Raj.).
4. Shri Megh Raj Singh Meena, Deputy Commissioner, P.R.N. South-II, Jaipur Development Authority, Indra Path Mansarovar, Jaipur (Raj.).
5. Shri Raghuveer Prasad Saini, Chief Controller Enforcement, Jaipur Development Authority, J.L.N Marg, Jaipur (Raj.).
6. Shri Elwin Thomas Cangan Son of Late Shri Thomas Cangan, Resident of 52/30, Shipra Path, Mansarovar, Jaipur (Raj.).
7. Shri Kunal Choudhary Son of Shri Kirti Kumar Choudhary, Resident of Kirti Kumar Choudhary, Resident of 120/224, Indra Path, Agarwal Farm, Mansarovar, Jaipur (Raj.).
8. State of Rajasthan, through its Chief Secretary, Government of Rajasthan Secretariat, Jaipur (Raj.).
9. Dr. Joga Ram, Commissioner of Jaipur Development Authority, Indira Circle, J.L.N. Marg, Jaipur (Raj.).
10. Mrs. Nalini Kathotia, Secretary, Jaipur Development Authority, Indira Circle, J.L.N Marg, Jaipur (Raj.).
11. Smt. Anandi, Commissioner, Jaipur Development Authority, Indria Circle, J.L.N .marg, Jaipur (Raj.).
12. Dr. Nishant Jain, Secretary, Jaipur Development Authority, Indira Circle, J.L.N Marg, Jaipur (Raj.).

-----Respondents

For Petitioner(s) : Mr. Prahlad Sharma, Advocate with
Mr. Ram Prasad, Advocate

For Respondent(s) : Ms. Shalini Sheoran, Advocate with
Mr. Mamraj Gurjar, Advocate,
Ms. Anushka Dikshit, Advocate,
Mr. Aditya Bohra, Advocate &
Mr. Kanishk Singhal, Advocate.

HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR

HON'BLE MR. JUSTICE ANAND SHARMA

Order

29/04/2025

This contempt petition has been filed in view of the judgment dated 18.11.1999 passed in D.B. Special Appeal (Writ) No.780/1997.

2. Ms. Shalini Sheoran, the learned counsel for the respondent No.2, namely, Jaipur Development Authority has raised a preliminary objection to the maintainability of this Contempt Petition, in view of the provisions under Section 20 of the Contempt of Courts Act, 1971.

3. On the other hand, Mr. Prahlad Sharma, the learned counsel for the petitioner would submit that a general order was passed by this Court which has not been complied by the contemnors.

4. Mr. Prahlad Sharma, the learned counsel for the petitioner has relied on an order passed by this Court in D.B. Civil Contempt Petition No.588/2013 to submit that this Court has taken cognizance of the matter notwithstanding the provisions contained under Section 20 of the Contempt of Courts Act, 1971.

5. In the order dated 17th March, 2016, this Court has passed the following order:-

"The instant contempt petition has been filed by the petitioner alleging violation of the order dated 18.11.1999 passed by the Division Bench of this Court in D.B. Special Appeal (Writ) No.780/1997

and other connected appeals. It has been alleged that in spite of the said directions, still certain commercial activities are being carried out in the residential area.

Counsel for the respondents, on instructions from Shri Rewat Dan, Enforcement Officer, Jaipur Development Authority, Jaipur, has stated that now the alleged misuse of residential building has been stopped and no commercial activities are going on there.

In view of the said statement, this contempt petitioner has become infructuous.

Ordered accordingly.”

6. Not only a decade had passed since the aforementioned contempt petition was filed in 2013 and there is no explanation by the petitioner for approaching this Court after so many years, it is pertinent to indicate that the petitioner himself has disclosed his age as 30 years in the year 2023. Quite apparently, he was a toddler aged about 4 years at the time when certain directions were issued by this Court in D.B. Special Appeal (Writ) No.780/1997 and batch of cases.

7. In view thereof, D.B. Civil Contempt Petition No. 407/2023 is dismissed.

(ANAND SHARMA),J

(SHREE CHANDRASHEKHAR),J