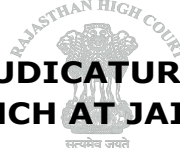




**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**



D.B. Civil Contempt Petition No. 551/2024

Anil Agarwal S/o Shri Kailash Chand, Aged About 57 Years, R/o
Station Road, Bajariya, Opposite Murli Chitralok, Bharatpur.

-----Petitioner

Versus

1. Suresh Chand S/o Late Shri Ramesh Chand Tiwari, Aged About 64 Years,
2. Mahesh Chand S/o Late Shri Ramesh Chand Tiwari, Aged About 56 Years,
3. Umesh Chand S/o Late Shri Ramesh Chand Tiwari, Aged About 50 Years,
4. Taruna Tiwari W/o Late Shri Dinesh Chand, Aged About 42 Years,
5. Naresh Chand S/o Shri Ramesh Chand Tiwari, Aged About 50 Years,
6. Mithlesh W/o K.C. Sharma, Aged About 70 Years.
7. Beena W/o B.K. Sharma, Aged About 67 Years,
All are R/o Arya Samaj Road, Bharatpur.
8. Vijay Kumar S/o Ramanlal, Aged About 75 Years, R/o
Kodiyan Mohalla, Bharatpur.
9. Nirmla Devi W/o Shri Tara Chand Singhal, Aged About 67
Years, R/o Opposite Natwar Singh Ki Kothi, Krishna Nagar,
Bharatpur.

-----Respondents

For Petitioner(s)	:	Mr. Gajendra Singh RAthore
For Respondent(s)	:	Mr. Mohit Khandelwal

**HON'BLE MR. JUSTICE SUDESH BANSAL
HON'BLE MR. JUSTICE ANIL KUMAR UPMAN
Order**

19/02/2026

1. We have heard counsel for both the parties.
2. Petitioner states that respondents have flouted the interim stay order dated 02.04.2024 passed in D.B. Special Appeal (Writ)



No. 134/2024 and have raised construction on the land in question.

3. In response to the contempt petition, the respondents clearly denied to raise any construction by them on the piece of land in their possession but have contended that construction was made by one Shyam Singh on an adjoining portion of land, which is owned and possessed by him, and misconstruing the correct facts, petitioner has filed this contempt petition.

4. During course of hearing, it has transpired that in D.B. Special Appeal (Writ) No. 134/2024, under challenge is the judgment and order dated 11.12.2023 passed by learned Single Judge adjudicating the issue of jurisdiction of the Divisional Commissioner, Bharatpur to hear and decide the appeal on merits under Section 75 of the Rajasthan Land Revenue Act, 1956. The judgment dated 11.12.2023 by learned Single Judge was passed in the backdrop of facts that Divisional Commissioner, Bharatpur dismissed the appeal on the ground of having no jurisdiction, which was filed in connection with the findings of enquiry made by District Collector, in respect of allotment of land made in favour of one Shri Ramesh Chand Tiwari on 15.05.1979. Thus, what has transpired that the subject matter and issue, pending before the Division Bench in Special Appeal, is the jurisdictional issue of the Divisional Commissioner, Bharatpur, to hear the appeal on merits or not. It appears that the order of *status quo* dated 02.04.2024, was passed by Division Bench in that context. To fortify such conclusion, the order dated 02.04.2024 is being reproduced as under:



"Heard.

Heard notice to respondents to show cause against admission of appeal on payment of P.F. within one week, returnable within three weeks.

Till the next date of hearing, status-quo as it exists today shall be maintained by the parties.

List the matter after four weeks."

5. That apart, petitioner has not made it clear that on which portion or piece of land, construction is being raised, moreso, in the light of reply to the contempt petition, it has emerged as a disputed question of fact that on which land and by whom construction is being raised. In absence of having any particulars and details of land in question, it is difficult to observe that the order of *status-quo* dated 02.04.2024 has been violated.

6. In addition, we would also like to observe that as per respondents, construction on a different portion of land was being made by one Shyam Singh. Admittedly, Shyam Singh is not party in the Special Appeal.

7. In view of above discussion, no case of flouting the order of status quo by respondents, is made out. It is trite law that civil contempt is in the nature of quasi criminal proceedings and merely on the basis of bare apprehension and without any substantive proof, no one can be held guilty for civil contempt. The allegations made by petitioner in the contempt petition are ambiguous and vague.

8. As a result, the contempt petition is hereby dismissed.

9. Notices of contempt stand discharged.

(ANIL KUMAR UPMAN),J

(SUDESH BANSAL),J