

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

I.A.No.3

IN

CIVIL APPEAL No.2082 OF 2012

ANIL KUMAR GUPTA

.....APPELLANT

VERSUS

STATE OF BIHAR & ORS.

.....RESPONDENTS

O R D E R

This appeal is directed against order dated 13.04.2012 passed by Registrar (Judicial-II) whereby he declined to register the application filed by the respondents in the appeal for permission to initiate fresh proceedings for the acquisition of land because the earlier acquisition proceedings had been quashed by this Court on 14.02.2012.

We have perused the averments contained in the application as also the grounds taken in the appeal and are convinced that the prayer made in the application was wholly misconceived and Registrar (Judicial-II) did not commit any error by declining to register the same.

The appeal is accordingly dismissed.

.....J.
(G.S.SINGHVI)

.....J.

(SUDHANSU JYOTI MUKHOPADHAYA)

NEW DELHI;
JULY 18, 2012.
ITEM NO.9

COURT NO.5

SECTION XVI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CONTEMPT PETITION (C) NO. 176 OF 2012 IN Civil Appeal 2082/2012

ANIL KUMAR GUPTA

Petitioner(s)

VERSUS

HUKAM SINGH MEENA & ORS.

Respondent(s)

(With office report)

With

I.A.No.3 In C.A.No.2082/2012

(For appeal against Registrar's order of lodgment with office report)

Date: 18/07/2012 This Petition/I.A. was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.S. SINGHVI

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Mr.Dhruv Mehta, Sr.Adv.

Mr. Devashish Bharuka, Adv.

For Respondent(s) Mr. Manish Kumar, Adv.

UPON hearing counsel the Court made the following
O R D E R

CONTEMPT PETITION (C) NO. 176 OF 2012 IN CIVIL APPEAL NO. 2082/2012

We have perused the averments contained in the contempt petition and judgment dated 14.02.2012, the operative portion of which reads as under:

"In the result, the appeal is allowed, the impugned judgment is set aside and the order passed by the learned Single Judge quashing the acquisition proceedings is restored. The respondents are directed to hand over vacant possession of the acquired land to the appellant within a period of eight weeks from today."

Although, the appellant had communicated the judgment to various officers of the State Government including Principal Secretary, Department of Water Resources, Government of Bihar and apprised them of their obligation to return the land but the concerned authorities have failed to take steps to deliver possession of the land. This prima facie gives an impression that the concerned officers have deliberately omitted to comply with the direction given by the Court and this amounts to contempt within the meaning of Section 2(b) of the Contempt of Courts Act, 1971.

Issue notice to respondent Nos.1 to 4 to show cause as to why they may not be punished for committing contempt of judgment dated 14.02.2012 in Civil Appeal No.2082 of 2012 - Anil Kumar Gupta vs. State of Bihar and others.

Shri Manish Kumar, learned counsel accepts notice on behalf of respondent Nos.1 to 4.

Reply affidavits be filed within two weeks from today.
Put up on 03.08.2012.

Respondent Nos.1 to 4 need not appear before this Court on the next date of hearing. However, it is made clear that this leniency should not be construed as a licence to not to appear on future dates of hearing.

I.A.No.3 in C.A.No.2082 of 2011

The appeal is dismissed in terms of the signed order.

(Satish K.Yadav)
Court Master

(Phoolan Wati Arora)
Court Master

(Signed order in I.A.No.3 in C.A.No.2082 of 2012 is placed on the file)