

ITEM NO.8

COURT NO.12

SECTION XV

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

CONMT.PET.(C) No. 1141/2019 in SLP(C) No. 6944/2010

SURESH CHANDRA PAL

Petitioner(s)

VERSUS

RAJIV JAIN &amp; ORS.

Respondent(s)

IA No. 142751/2019 - EXEMPTION FROM FILING O.T.

Date : 22-11-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s) Ms. Sansriti Pathak, AOR

For Respondent(s)

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

Application for exemption from filing official translation is allowed.

Learned counsel for the petitioner has drawn our attention to letter dated 02.08.2019 of the Deputy Housing Commissioner which seeks to suggest that the Board had taken the view that the decision of this Court has been obtained stating wrong facts.

The order passed by this Court was an *in limine* decision and the only direction passed was for refund of the amount to the Board as had been deposited with the Civil Judge, Jaipur City, Jaipur. Our attention has also been drawn to a copy of some internal report which seeks to suggest that the Board was not bound to take the

awarded amount back which had been deposited.

We are also informed that the review petition before this Court has been dismissed.

Whether the Board wants to take the amount or not is their choice but that will not give the petitioner any right to file this contempt petition.

We are of the view that if the grievance of the petitioner is that there is some interference with the property, the appropriate remedy for contempt would be before the High Court.

We accordingly dismiss the petition as not maintainable with liberty to the petitioner to seek remedy of contempt before the High Court in respect of the grievance of non-compliance of orders of the High Court.

(ASHA SUNDRIYAL)  
COURT MASTER

(ANITA RANI AHUJA)  
COURT MASTER