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RAKESH KUMAR SINGH & ORS. Respondent (s)

(IA No. 12375/2024 - EXEMPTION FROM FILING O.T.
IA No. 228957/2023 - EXEMPTION FROM FILING O.T.
IA No. 12374/2024 - MODIFICATION)

Date : 05-02-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE SUDHANSHU DHULIA
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s)

Mr. Dama Seshadri Naidu, Sr. Adv.
Mr. Aman Vachher, Adv.
Mr. Dhiraj, Adv.
Mr. Ashutosh Dubey, Adv.
Mrs. Anshu Vachher, Adv.
Ms. Abhiti Vachher, Adv.
Mr. Akshat Vachher, Adv.
Mr. Amit Kumar, Adv.
Ms. Anisha Mahajan, Adv.
For M/S. Vachher And Agrud, AOR

For Respondent(s)

Mr. Sidharth Luthra, Sr. Adv.
Ms. Sakshi Kakkar, AOR
Mr. Shakti Singh, Adv.
Mr. Sneh Lata Misra, Adv.

Mr. Shaurya Sahay, AOR

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

1. When the civil appeal was heard on 11.05.2023, this Court had recorded the statement of Shri Ravindra Kumar, learned senior counsel appearing for the appellants therein that in view of the increase in price, the Ghaziabad Development Authority (GDA) may not be in a position to pay the compensation, as directed by the High Court.
2. This Court therefore observed that it is always free for the

GDA to release the land as it is not in a position to pay the compensation.

3. Indisputably, till the order was passed by this Court on 11.05.2023 no award was passed. As such the respondents ought to have complied with the directions issued by the High Court, within the time limited of three months specified by it.

4. Thereafter, the petitioner filed the present contempt petition alleging contempt of the order passed by this Court. On 08.12.2023, this Court issued notice in the contempt petition.

5. Subsequently, an award has been passed on 30.12.2023 i.e. after the notice was issued by this Court in the contempt proceedings.

6. It is further to be noted that on 08.01.2024, a statement was made by the learned counsel appearing for Respondent No.1 that Respondent No.1 has taken steps for releasing the land.

7. We are prima facie of the view that the conduct of the respondents is contemptuous in nature. When a specific order was passed by this Court, the respondents without even taking care to get the extension or seek a clarification from this Court have passed an award and that too after issuance of contempt notice.

8. We, therefore, direct that Respondent Nos.1 to 3 shall remain present in this Court on 19.02.2024 at 10.30 a.m. and answer as to why an action should not be taken against them for having committed contempt of Court.

9. List on 19.02.2024 at 10.30 a.m.

(NARENDRA PRASAD)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)