

cause affidavit dated 25.02.2021 filed on behalf of the opposite party no. 2) and submits that when the petitioner did not appear in Misc. Case No. 05/2020-21 on 15.09.2020, one Ajay Kumar Gupta, peon of District Land Acquisition Office, Dhanbad tried to inform to petitioner about the next date fixed in the said case as 29.09.2020 on the petitioner's mobile no. 9693551260 from his mobile no. 9608853956 on 29.09.2020 itself, but he could not connect the petitioner on the said date. Since the petitioner did not appear on the next date i.e., 29.09.2020, on the instruction of the opposite party no. 2, the said peon of the District Land Acquisition Office successfully communicated the petitioner on his said mobile number on 30.09.2020 regarding the next date fixed as 08.10.2020. However, on the said date also, the petitioner did not appear and finally the order was passed on 15.10.2020.

The learned counsel for the petitioner disputes the said fact and submits that the petitioner was never communicated about the dates fixed in Misc. Case No. 05/2020-21.

Be that as it may. The Court does not intend to go into the allegation and counter allegation regarding communication of fixing of date in Misc. Case No. 05/2020-21 in the contempt proceeding.

Having heard the learned counsel for the parties and keeping in view that an order in compliance of order dated 19.12.2019 passed in W.P.(C) No. 5136 of 2019 has been passed by the opposite party no. 2, I see no reason to further proceed in the present contempt petition. The contempt proceeding as against the opposite party no. 2 is hereby dropped.

If the petitioner feels aggrieved with the order dated 15.10.2020 passed by the opposite party no. 2 in Misc. Case No. 05/2020-21, he would be at liberty to take appropriate recourse against the same as provided under law.

The contempt petition is accordingly disposed of.

(Rajesh Shankar, J.)