

**IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE**

**BEFORE**

**HON'BLE SHRI JUSTICE ANIL VERMA**

**ON THE 10<sup>th</sup> OF JULY, 2024**

**CONTEMPT PETITION CIVIL No. 5509 of 2023**

**CHANDAR SINGH SOLANKI**

*Versus*

**GOPAL VERMA**

.....  
**Appearance:**

*(PETITIONER BY SHRI SHASHWAT SETH, ADVOCATE.)*

*(RESPONDENT BY MS. MINI RAVINDRAN, ADVOCATE.)*  
.....

**ORDER**

Both the parties heard.

02. The petitioner has preferred this contempt petition by stating that the respondent did not comply with the order dated 30.06.2023 passed by this Court in due time.

03. The respondents have filed the reply by submitting that Sub Divisional Magistrate, Sanwer registered a case and on the basis of the aforesaid, he has issued a notice dated 11.07.2023. In the meanwhile, respondent No.3-Manan Buch has preferred a Criminal Revision No.735 of 2023 against the same order dated 06.02.2023 passed by the Additional Sessions Judge, Sanwer, District Indore.

04. The factum of pendency of the criminal revision was disclosed before this Court on the date of passing of the order dated 30.06.2023. The answering respondent has received a letter on 01.09.2023 and Additional Sessions Judge, Sanwer has directed him to submit the entire record of Criminal Case No.7/2021, therefore, he has sent the record and in absence of the record,

no effective decision could be taken in the matter. Again, Criminal Revision No.735 of 2023 has been decided by the Coordinate Bench of this Court vide order dated 26.04.2024 and matter has been remanded back to the SDM, Sanwer for passing fresh order but in view of the aforesaid, he has duly complied with the order passed by this Court and submits unconditional apology. Answering respondent has also been transferred to other post. Hence, he prays that contempt proceedings be dropped against the answering respondent.

05. On perusal of the record, it appears that vide order dated 30.06.2023 passed in Writ Petition No.10949 of 2023, this Court has directed that application should be decided by the SDM Sanwer, District Indore within a period of two months but in the meanwhile, criminal revision has been filed before the Coordinate Bench of this Court, therefore, the respondent has sent the concerned record to the High Court and vide order dated 26.04.2024 passed in Criminal Revision No.735 of 2023, the Coordinate Bench of this Court has remanded the matter back to the SDM, Sanwer to pass fresh order in accordance with the law.

06. In view of the aforesaid, now the order dated 30.06.2023 is not operable, therefore, respondent cannot be compelled to comply with the aforesaid order. It also appears that due to different Court proceedings and sending the record of the respondent, he could not decide the aforesaid application within time but respondent did not cause any willful disobedience of order passed by this Court, therefore, there is no need to take action against the respondent.

07. With the aforesaid, contempt proceedings drawn against the respondent is hereby dropped. Accordingly, this Contempt Petition stands

**disposed of.**

Divyansh

**(ANIL VERMA)  
JUDGE**

