

Mehtab Lal Singh

Vs

State of Bihar and Others

With

Mehtab Lal Singh

Vs

U. K. Sinha Collector, Patna, Bihar

Special Leave Petition (Civil) Nos. 6974 and 9532 of 1988 and Contempt Petition (Civil) No. 13 of 1990 (In SLP (Civil) No. 6974 of 1989)

(L. M. Sharma, P. B. Sawant JJ)

20.07.1990

ORDER

1. We do not find any merit in the S.L.Ps. Nos. 6974 and 9532 of 1988, which are accordingly rejected.

2. So far as the Contempt Petition (Civil) No. 13 of 1990 is concerned, the same has been seriously pressed on behalf of the petitioner Mehtab Lal Singh. Mr. Goburdhun has placed before us the order dated July 28, 1989 passed in S.L.P. (Civil) No. 6974 of 1988, asking the Collector of Patna to scrutinise the security offered by the petitioner and pass orders thereon. This was in connection with the prayer of the petitioner for permission to remove the bricks which were subject matter of the dispute between the parties. It has been alleged on behalf of the petitioner that although the petitioner had offered adequate security, the respondent wilfully and deliberately did not accept the same, as a result of which the petitioner could not remove the bricks for the purpose of his business. Notice was directed to be issued in the contempt matter and a counter-affidavit has been filed on behalf of respondents 1, 2 and 3 (in the S.L.P. No. 6974 of 1988) denying the allegations and placing the correct facts. The respondents have placed in detail the entire circumstances in which the impugned order of the High Court was passed and the special leave petitions were filed. The further details with respect to the scrutiny of the security bond and passing of the other relevant orders have also been given. After going through the counter-affidavit, we are satisfied that no case for taking the step as suggested by the petitioner is made out. The Contempt Petition (Civil) No. 13 of 1990 is also therefore dismissed.

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