



2026:AHC-LKO:20677-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CONTEMPT APPEAL No. - 4 of 2026

Mushtaq

.....Appellant(s)

Versus

Ameena And Ors.

.....Respondent(s)

Counsel for Appellant(s)	:	Manoj Kumar Gupta, Chandra Kishore
Counsel for Respondent(s)	:	

Court No. - 9

**HON'BLE RAJESH SINGH CHAUHAN, J.
HON'BLE RAM MANOHAR NARAYAN MISHRA, J.**

1. Heard Shri Manoj Kumar Gupta, learned counsel for the appellant.
2. This contempt appeal has been filed through e.mode. However, learned counsel for the appellant has provided two copy of memo of appeal to the Court, which are taken on record.
3. In view of the proposed order, the notices to opposite parties are hereby dispensed with.
4. The Contempt Court has passed an order dated 13.02.2026, which reads as under:-

*"Respondent Nos.1, 2 and 3 have filed compliance affidavit, which is taken on record.

The present contempt application has been preferred against alleged non-compliance of the order dated 20.03.2025 passed in Matter Under Article 227 No.1342 of 2025, the relevant paras are quoted hreinbelow:

"7. It is further clarified that the standing crops can be harvested by the petitioner.

8. The petition is disposed of in terms of the above."*

Learned counsel for the applicant has submitted that at the time of passing of the order dated 20.03.2025 the wheat crop of the applicant were sown and he had harvested and thereafter he had sown the paddy crop, to which the respondents had restrained to harvest, hence the respondents are violating the order passed in the writ petition and they are liable to be punished under the Contempt of Courts Act, 1971.

On the other hand learned counsel for the respondents have submitted that by order dated 20.03.2025 passed in the writ petition Hon'ble Court has clarified that only the standing crop could be harvested by the applicant, meaning thereby it is an admitted

case of the applicant also that he was harvesting the wheat crop which were standing at the time of passing of the order in the writ petition and it has been alleged that it was stopped by the respondents to harvest the paddy crop, which was sown by the applicant subsequently.

It is further submitted that in the compliance affidavit the respondents have made averments on affidavit that they had never interfered in the land in dispute and they will not interfere in the land in dispute in future which is in the possession of the applicant.

After hearing learned counsel for the parties and going through the record of the case, it is found that learned counsel for the applicant has failed to dispute this fact that the applicant was permitted to harvest the standing crop, which he had harvested and order passed in the writ petition did not provide for sowing of any subsequent crop and sowing the subsequent paddy crop is in violation of order passed in the writ petition by the applicant itself.

It is also seen from Annexure No.2 i.e. the representation given by the applicant to the Tehsildar the wrong fact has been mentioned just to initiate action against the respondents through District Administration by mentioning therein that the order dated 20.03.2025 has been modified whereas it has never been modified and by the order dated 20.03.2025 the order dated 30.11.2024 has been modified, so he made a false representation and also approached this Court by committing the contempt himself.

In view of the facts, circumstances and discussion made hereinabove, the present contempt application is devoid of merits, hence it is dismissed with a cost of Rs.25,000/-. The applicant shall deposit the same within a period of one month with the Legal Aid Authority, failing which the Senior Registrar of this Court is directed to recover the amount as arrears of land revenue from the applicant as he has approached this Court by misleading the facts and making false representation to the authorities, which is nothing but abuse of process of the law."

5. At the admission stage, on being asked the learned counsel for the appellant about the illegality of the order dated 13.02.2026, Shri Gupta has stated that the appellant has filed the contempt petition as he could not understand the order being passed by the Hon'ble Contempt Court being illiterate person. Therefore, the cost of Rs.25,000/- may be waived off.

6. Since no infirmity or illegality has been pointed out by the learned counsel for the appellant, therefore, without entering into merits of the order dated 13.02.2026 passed by the Contempt Court, we hereby modify the amount of cost from Rs.25,000/-, which has been imposed by the Contempt Court, to Rs.5,000/-. The aforesaid amount shall be deposited by the appellant within a period of one month from today.

7. In view of the aforesaid terms, the instant contempt appeal is ***disposed of*** in limine.

March 23, 2026

Suresh/

(Ram Manohar Narayan Mishra,J.) (Rajesh Singh Chauhan,J.)