**In The Hon'ble High Court Of Himachal Pradesh At Shimla**

Cont Pet (C) No :\_\_\_\_\_\_of 2004 in C.W.P.NO :\_\_\_\_\_\_of 2004

Petitioner

VERSUS

Respondents

Civil Contempt Petition under Section 12 of the Contempt of Courts Act, 1971 for punishing the contemners/respondents for having willfully and deliberately disobeyed and not complied with the orders/directions passed by this Hon'ble Court in \_\_\_\_\_ on \_\_\_\_\_\_\_\_.

Shimla                                                                                                  Petitioner

\_\_\_\_\_\_                                                                                                Through, Advocate

Respectfully Sheweth :-

1. That the petitioner filed a \_\_ titled as \_\_ Vs \_\_ and others before this Hon'ble Court which was decided on \_\_.

2. That this Hon'ble court was pleased to pass the orders/directions in its judgment dated \_\_, [annexed as Annexure C-1] which are re-produced hereunder for the convenience of My Lords :-

3.  That it is apparent from the above directions passed by this Hon'ble Court that the order was comprehensive, unambiguous and clear in directing the respondents/contemners to \_\_\_\_\_\_\_.

4. That the above orders of this Hon'ble court were sent to the respondents in the \_\_\_\_\_writ petition through a legal notice by the counsel of the petitioner on \_\_\_\_\_ [annexed as Annexure C-2].

5.  \_\_\_\_\_\_and in this way they have committed contempt of this Hon'ble court for which they deserves to be punished severely in accordance with the law in the interest of justice.

6. That the respondents have purposely, willfully and knowingly disobeyed the sacrosanct orders of this Hon'ble court, thereby have conducted themselves in the most reprehensible and unbecoming manner showing scant  regard to the orders of this Hon'ble court which conduct on their part is palpably, manifestly and gravely contumacious and makes the contemners/respondents liable to be dealt with in accordance with the law and punished severely for willfully, deliberately and intentionally flouting, defying and disobeying the supreme authority of this Hon'ble court.

7. That it is apparent from the material placed on record that no iota of doubt is left regarding the contemners having scant regard and utter disregard to the sacrosanct orders of this Hon'ble court, and the contemners are prima facie guilty of the contempt of the court for having deliberately and wailfully disobeyed the orders of this Hon'ble court and they deserve to be dealt with and punished in accordance with the law as by their such unbecoming act they have tended to lower the authority of this Hon'ble court and tended to interfere with the due process of the judicial proceedings and administration of justice.

8. That it is pertinent to mention here that there is no dearth of alternative jobs in the I. T. B. P. or under the Ministry of Home Affairs, to which the petitioner could have conveniently been appointed.  To name few, the petitioner could have been considered for the post of water carrier, office messenger etc. which jobs are of sedentary nature and of lesser laborious nature. More particularly when the Hon'ble Apex court has even ordered to grant alternative job to the blind persons.

9. That interest of justice demands that the contemners/respondents are dealt with and punished severely in accordance with  law for their willful, deliberate and intentional disobedience of the orders of this Hon'ble court.

10. It is, therefore, most respectfully prayed that My Lords be pleased to punish the contemners/respondents in accordance with law and direct them to comply with the orders of this Hon'ble court dated 05.12.1998 immediately by considering the petitioner for the alternative job of lesser laborious nature, such as Water Carrier, Office Messengers etc, in the interest of justice.  Such other orders be also passed in favour of the petitioner as deemed fit and proper in the facts and circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE PETITIONER AS IN DUTY BOUND, SHALL EVER PRAY.

Shimla                                                                                                  Petitioner

\_\_\_\_\_\_                                                                                                Through, Advocate

**IN THE HON'BLE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA**

Cont Pet (C) No.\_\_\_\_\_\_  of 2004 in C.W.P. No.:\_\_\_\_\_\_  of \_\_\_\_\_\_

Petitioner

Versus

Respondents

Affidavit in support of the Civil Contempt Petition under Section 12 of the Contempt of Courts Act

I, \_\_\_\_\_\_, do hereby solemnly affirm and declare as under :

1. That the accompanying Contempt petition has been prepared under my instructions.

2. That the contents of paras 1 to \_\_\_\_\_ of the accompanying contempt petition are correct and true to the best of my knowledge.

3. That I further solemnly affirm and declare that this affidavit of mine is correct and no part of it is false and nothing material has been concealed therein.

Affirmed at Shimla this the  \_\_\_\_\_\_.

Deponent

Certified that the contents of this affidavit as well as the accompanying writ petition have been read over and explained to the petitioner in the vernacular he understands and signs it as correct.

**IN THE HON'BLE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA**

Cont Pet. (C) No.:\_\_\_\_\_\_ of 2004 in C.W.P. No:\_\_\_\_\_\_ of 2004

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Shimla                                                                         Petitioner

\_\_\_\_\_\_\_                                                                  Through, Advocate