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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CONT.CAS(C) 299/2014 & C.M.Nos.7943/2014, 11191/2016
ANIL DUTT SHARMA Petitioner

Through Mr.Rakesh Sachdeva, Advocate.

versus

PAWAN KUMAR SHARMA & ORS Respondents
Through Mr.Ajjay Aroraa with Mr.Kapil
Dutta, Advocates for NDMC and
SDMC.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

ORDER
% **14.07.2016**

The present contempt petition has been filed alleging that the illegal and unauthorised constructions all over the Delhi have not been removed despite repeated orders passed by this Court.

Learned counsel for the respondent states that the petitioner is not only misinterpreting the orders passed by this Court but he has also been 'extracting' money on the basis of the orders passed by this Court.

Learned counsel for the petitioner vehemently disputes the contentions advanced by learned counsel for the respondent. He refers to and relies upon the Division Bench order dated 9th May, 2016 passed in LPA No.287/2016.

Irrespective of the aforesaid contentions advanced by the parties, this Court is of the opinion that in view of the National Capital Territory of Delhi Laws (Special Provisions) Second Act,

2011, status quo in respect of encroachment and/or unauthorised construction has to be maintained as on 1st January, 2006. In the opinion of this Court, inaction, if any, by the respondents in removing the unauthorised construction or encroachment cannot be said to be wilful or deliberate or contumacious.

Consequently, keeping in view the provisions of the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011, the present contempt petition is closed. However, after the protection afforded by the Act expires on 31st December, 2017, the petitioner shall be at liberty to file an appropriate proceeding in accordance with law. Rights and contentions with regard to the proposed proceedings are left open.

MANMOHAN, J

JULY 14, 2016
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