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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 886/2016 & C.M.Nos.26999-27000/2016**
SHAMSHER SINGH & ORS Petitioners
Through Mr.S.N.Gupta, Advocate.

versus

O P SAINI & ORS Respondents
Through Mr.Dhanesh Relan with Ms.Akshita
Manocha, Advocates for DDA.
Mr.Ashwani Garg, Advocate for R-4.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

ORDER
% **29.07.2016**

Present contempt petition has been filed alleging wilful disobedience of the order dated 14th February, 1985 whereby DDA had undertaken not to take action against the petitioners without following due process of law. It has also been averred in the petition that there is wilful disobedience of the order dated 6th October, 1994 whereby a court had directed the parties to maintain status quo of the suit land till dispute regarding title over the suit land is decided by the High Court. Respondent/DDA was also restrained from dispossessing the petitioners except in accordance with law.

Learned counsel for the petitioners states that DDA has now started erecting a wall which has the effect of restricting the ingress and egress to the petitioners' property.

A perusal of the paper book reveals that a Coordinate Bench of

this Court vide order dated 17th March, 2016 in RFA 304/2012 had permitted DDA to protect its land admeasuring 46 bighas 9 biswas in Khasra No. 166, village Ladda Sarai, Mehrauli, New Delhi by constructing a wall.

Since DDA and the Police are only taking action in pursuance to the order dated 17th March, 2016 passed by this Court, it cannot be said that the respondents are in contempt of the orders dated 14th February, 1985 and/or 6th October, 1994. However, if the petitioners have any alternative remedy, they are at liberty to pursue the same in accordance with law.

Consequently, the present contempt petition and the applications are dismissed as not maintainable.

This Court, however, clarifies that it has not expressed any opinion on the merits of the controversy. The rights and contentions of all the parties are left open.

MANMOHAN, J

JULY 29, 2016
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