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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 242/2016 & C.M.No.16913/2016

BALDEV & ORS

..... Petitioners

Through

Mr.J.C.Mahindro, Advocate.

versus

P K GUPTA & ORS

..... Respondents

Through

Ms.Monika Arora, standing counsel for
North DMC with Mr.Kaushal Kumar,
Advocate for R-1 to 5.

Ms.Neelam Singh, Advocate for R-
6/GNCTD.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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15.02.2017

Present contempt petition has been filed alleging wilful disobedience of the order dated 20th January, 2015 passed in Suit No.475/2014, wherein the respondent-North Delhi Municipal Corporation stated that no fresh drain is being constructed in Khasra No.1088/1 and MCD shall not construct a new drain without due process of law in the said khasra.

Since the present petition alleges violation of an undertaking/order passed in civil suit, this Court is of the opinion that the petitioner has an alternative effective remedy of filing execution proceedings.

Consequently, the present contempt petition is disposed of with liberty to the petitioners to file the execution proceedings in accordance with law.

Order *dasti*.

MANMOHAN, J

FEBRUARY 15, 2017/KA