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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 213/2017 & CM APPL. 10049/2017

SANJEEV BHARAL & ORS

..... Petitioners

Through

Mr. Manish Aggarwal with
Ms. Priyanka Kathuria and
Mr. Vignesh Sharma, Advocates

versus

SDMC & ANR

..... Respondents

Through

Ms. Seema Khorana, Advocate with
Mr. Naresh Bhardwaj, official for
SDMC.**CORAM:****HON'BLE MR. JUSTICE MANMOHAN****ORDER**

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14.03.2017

Present contempt petition has been filed alleging wilful disobedience of the order dated 20th January, 2017 passed in Civil Suit No. 7817/2016 wherein respondent-SDMC had stated that the demolition action against the unauthorised construction in properties bearing nos. 99A and 99B, Masjid Moth, South Extn. II, New Delhi had been fixed for 27th January, 2017.

Learned counsel for the petitioners states that though respondent-SDMC had on 27th February 2017 demolished the petitioner's property bearing no. 99B, yet no action was taken against the property bearing no. 99A.

Since the suit between the parties is still pending and the order dated 20th January, 2017 has been passed under Order 39 Rules 1 and 2 CPC, this Court is of the view that petitioners have an alternative effective remedy by filing an appropriate application in the pending suit.

Consequently, present contempt petition is disposed of with liberty to the petitioner to avail the said alternative effective remedy in accordance with law.

MANMOHAN, J

MARCH 14, 2017

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