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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 246/2017 & CM APPL. 11878/2017

ARUN KUMAR GUPTA

Through

..... Petitioner

Mr. Vidit Gupta with Mr. Prakash
Pandey, Advocates

versus

MOHANJEET SINGH & ORS Respondents

Through

Mr. Kumar Rajesh Singh, Standing
Counsel for EDMC.**CORAM:****HON'BLE MR. JUSTICE MANMOHAN****ORDER**

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27.03.2017

Present contempt petition has been filed alleging wilful disobedience of order dated 09th February, 2017 passed in W.P.(C) 526/2010 whereby respondent-EDMC was directed to take steps to remove the rubble/stones lying at the land measuring 139 sq. yds. adjoining plot No.B-42, East Jyoti Nagar, Delhi, within one week. The Court further directed respondent-EDMC to keep constant vigil in the area with the assistance of local SHO to ensure that there is no further encroachment.

Learned counsel for petitioner states that despite the lapse of one week, existing encroachment has not been removed.

However, a perusal of the paper book reveals that the order dated 9th February, 2017 does not contain any direction to remove the existing

encroachment. The only direction was to remove the rubble/stones as it was the respondent's case that the encroachment had stood removed prior to 9th February, 2017.

At this stage, learned counsel for the petitioner relies upon the order dated 19th January, 2017.

However, a perusal of the said order reveals that the stand of the respondent, even then, was that the existing encroachment had already stood removed.

In any event, the present contempt petition has been filed alleging wilful disobedience of the order dated 9th February, 2017 by virtue of which the writ petition was disposed of. Consequently, petitioner's reliance on the interim order dated 19th January, 2017 is of no relevance.

Accordingly, present contempt petition and application are dismissed.

MANMOHAN, J

MARCH 27, 2017

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