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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 319/2017 & CM APPLs. 15528-15529/2017

DIWAN HALL ROAD STALL

ASSOCIATION (REGD)

..... Petitioner

Through: Mr. M.M. Kashyap, Advocate with
Mr. B.D. Sharma, Advocate.

versus

PRAVEEN KUMAR GUPTA & ORS

..... Respondents

Through: Mr. Kapil Dutta, Advocate with
Ms. Diksha Lal, Advocate for Mr. Ajjay
Aroraa, Advocate.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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26.04.2017

Present contempt petition has been filed alleging wilful disobedience of order dated 10th November, 2009 passed in W.P.(C) 2022/2000 wherein the counsel for respondents made a statement that pursuant to order dated 06th August, 2009 decision was taken by the Standing Committee and thereafter a decision had been taken by the Full House of the Municipal Corporation of Delhi for approval of policy for rehabilitation of stall holders of Dewan Hall Road vide Resolution dated 9th November, 2009.

Learned counsel for the petitioner states that despite the aforesaid order, respondents have wrongly allotted Stall No. 56 to one Mr. Jugal Kishore on 01st December, 2014.

In the opinion of this Court, the order dated 10th November, 2009 did not accept or approve the decision taken by the Standing Committee and/or by the Full House. Respondent was also not held bound by the decision of the Standing Committee and/or Full House. On the said date, only statement of counsel for respondent had been recorded. As such, no wilful disobedience of any Court order is made out.

Present contempt petition is also barred by laches. It is pertinent to mention that Section 20 of the Contempt of Courts Act, 1971 prescribes limitation for actions for contempt. The said Section reads as under:-

*“20. **Limitation for actions for contempt.**—No court shall initiate any proceedings of contempt, either on its own motion or otherwise, after the expiry of a period of one year from the date on which the contempt is alleged to have been committed.”*

In the present case, not only the present contempt petition alleges violation of Court order dated 10th November, 2009, but disputes the allocation of stall on 01st December, 2014.

Accordingly, present contempt petition and applications are dismissed.

MANMOHAN, J

APRIL 26, 2017

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