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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **CONT.CAS(C) 318/2017**

URMILA DEVI Petitioner
 Through Mr. Vipin K. Singh, Advocate
 versus

MOHD YAQUB Respondent
 Through None

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

% **ORDER**
25.04.2017

Present contempt petition has been filed alleging wilful disobedience of order dated 23rd December, 2015 passed in R.C. Rev. 448/2015 as well as undertaking dated 18th January, 2016 wherein respondent-tenant undertook to vacate the premises bearing no. 4869/1, Foota Road, Baratooti, Sadar Bazar, Delhi on or before 31st December, 2016.

Learned counsel for the petitioner states that the respondent has not vacated the premises till date. He further states that in the execution proceedings filed by the petitioner, the respondent-son has taken the defence that the petitioner is trying to execute the decree against the second floor instead of first floor.

In the opinion of this Court, as the execution proceeding is already pending and the Rent Controller has ordered for delivery of possession, present contempt petition at this stage should not be entertained. If the Rent Controller is of the view that a case of contempt is made out, it is at liberty to refer the matter to the High Court.

With the aforesaid observations, present contempt petition and application stand disposed of.

MANMOHAN, J

APRIL 25, 2017

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