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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CONT.CAS(C) 562/2017**

SADAB ALAM

..... Petitioner

Through Mr.Sunny Arora, Adv. with
Mr.Ajay Kumar, Adv.

versus

JITENDER TYAGI

..... Respondent

Through Mr.Sri Harsha Peechara, Standing
Counsel, NDMC with Mr.Mananjay Kr.
Mishra & Ms.Vidhi Jain, Adv.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

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18.09.2017

The petitioner alleges wilful disobedience of the order dated 12.05.2017 by which the learned Standing counsel for NDMC had made a statement that after ascertaining the factual position, the goods of the petitioner would be released, as that was the prime grievance of the petitioner. Learned counsel for the petitioner submits that the petitioner has requested the respondent for release of his goods, but the goods have not been released till date.

Mr.Peechara, learned counsel for the respondent, while relying on the reply filed to this contempt petition, submits that since the petitioner did not approach the NDMC within a reasonable time, the goods were put to auction, however, the Auction Purchaser has not turned up to pick up the goods nor the amount has been paid, thus, the goods of the petitioner are lying in the godown. He further submits that subject to the petitioner's complying with all the formalities including filing of an affidavit of undertaking of payment of fine, the goods would be released.

Mr.Sunny Arora, learned counsel for the petitioner submits that an appropriate application would be made and the undertaking would also be furnished by the petitioner, without prejudice to his rights and contentions.

Accordingly, upon the application/undertaking being filed and the payment of fine, the goods of the petitioner will be released within four days thereafter.

The contempt petition is disposed of, as prayed, in above terms.

G.S.SISTANI, J.

CHANDER SHEKHAR, J.

SEPTEMBER 18, 2017/ka /