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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.APP.(C) 1/2017**
M/S FRANCES MODERN PUBLIC SCHOOL & ALLEN
COMPUTER ACADEMY & ANR

..... Appellants

Represented by: Mr.Sunil Dutt Dixit, Adv.

versus

RAM MEHAR SHARMA & ORS

..... Respondents

Represented by: None

CORAM:

HON'BLE MR. JUSTICE PRADEEP NANDRAJOG

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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04.01.2017

CM No.240/2017

Exemption is allowed subject to all just exceptions.

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1. Notwithstanding the fact that when warrants of possession were obtained by the respondent which there was a stay operating we find that the first appeal filed by the appellant was dismissed. Even the second appeal filed was dismissed. While dismissing the second appeal the second appellate court granted time to the appellant to vacate the subject premises. The appellant has taken benefit of said indulgence granted by the court.

2. An issue concerning contempt is between the contemnor and the

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Court. The relator has no vested right in said proceedings.

3. We find good reasons given by the learned Single Judge not to initiate contempt against the respondents.

4. As regards physical violence, if at all, which took place when warrants for possession were executed, a criminal complaint has already been lodged by the appellant as pleaded before the learned Single Judge in the contempt proceedings as also in the instant appeal.

5. We find no merit in the appeal which is dismissed in limine.

6. No costs.

PRADEEP NANDRAJOG, J

YOGESH KHANNA, J

JANUARY 04, 2017
VLD