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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 791/2015

SHIMLA JAIN

Through

..... Petitioner

Mr. Rajeev Kumar, Advocate

versus

AJAY KUMAR GUPTA & ANR

Through

..... Respondents

Ms. Mini Pushkarna, Standing

Counsel with Ms. Vasundhara

Nayyar, Advocate for North DMC.

Mr. Jaspreet Singh Rai, Advocate for
Impleader/Shailja Jain.**CORAM:****HON'BLE MR. JUSTICE MANMOHAN****ORDER**

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20.04.2017**CM APPL. 1219/2017**

Present application has been filed for impleadment in a contempt proceeding.

In the opinion of this Court, since contempt proceedings are quasi criminal in nature, no impleadment can be allowed. Accordingly, present application stands dismissed.

CONT.CAS(C) 791/2015

Present contempt petition has been filed alleging wilful disobedience of the order dated 29th May, 2015 passed in W.P.(C) 5691/2015 whereby respondent-North DMC was directed to conclude its proceedings in respect

of alleged unauthorised construction as expeditiously as possible, preferably within twelve weeks.

Today, learned counsel for respondent-North DMC states that non-compoundable unauthorised construction in the building in question, other than what is protected by virtue of National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011, has been demolished.

Keeping in view the aforesaid statement, present contempt petition is closed and the notices issued are discharged.

At this stage, learned counsel for the petitioner states that the order dated 26th July, 2016 has not been complied with inasmuch as 12 sq. mtrs. construction on the first floor has not been demolished.

This Court is of the view that as present contempt petition has been filed alleging wilful disobedience of the order dated 29th May, 2015 passed in W.P.(C) 5691/2015, the aforesaid allegation cannot be considered in the present proceedings. However, petitioner is given liberty to file appropriate legal proceedings in the event he is aggrieved by non-implementation of the order dated 26th July, 2016 passed by the ATMCD.

With the aforesaid observations and liberty, present contempt petition stands disposed of.

MANMOHAN, J

APRIL 20, 2017

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