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IN THE HIGH COURT OF DELHI AT NEW DELHI

CONT.CAS(C) 471/2018 & CMs 25313-15/2018

MOHD YASIN

..... Petitioner

Through: Mr.M.M.Kashyap, Adv.

versus

RUCHIKA TAT DAYAL & ORS

..... Respondents

Through: Mr.Tushar Sannu, Mr.Ankit Jain, Advs. for
R-1-2/NDMC

Ms.Sukriti Ghai, Adv. for Mr.Devesh Singh, ASC for
R-3

Mr.Deepak Kumar, Adv. for R-4

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

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20.06.2018

IA 25315/2018

Exemption allowed subject to all just exceptions.

CONT.CAS(C) 471/2018 & CM 25313-14/2018

This petition has been filed by the petitioner alleging violation of the order dated 1st February, 2018 passed by this Court in WP(C) No.8725/2017 titled ***Mohd. Yasin v. North Delhi Municipal Corporation & Ors.*** The operative part of the order is reproduced hereinunder:-

“According to Mr.Tushar Sannu, sealing order dated January 29, 2018 has been executed on January 30, 2018 and the premises has been sealed. In view of this stand of the NDMC, the grievance of the petitioner with respect to respondent No.5 running the Dhaba without any municipal health license has been satisfied and nothing further survives. Insofar as the grievance of the petitioner with respect to the electricity theft is concerned, learned counsel for the respondent No.4 states, the theft of electricity has been booked and the complaint has been made to the police. He also states, further action shall be taken on that aspect in accordance with law. At this stage, the learned counsel for the petitioner submits that an amount

of Rs.2,30,000/- approx bill has been raised by the respondent No.4 and the same should be recovered from the respondent No.5. I say nothing on this submission made by the learned counsel for the petitioner. It goes without saying that respondent No.4 shall take action in accordance with law. Nothing further survives in the petition. The same is disposed of.”

I find that the above order merely recorded the submission made by the counsel appearing for NDMC and no further direction was passed thereon. Counsel for the respondent nos.1 and 2 submits that the shop in question has been de-sealed on 11th June, 2018 by the NDMC. If the petitioner is aggrieved of the said action of de-sealing of the shop, his remedy is not in form of a contempt.

As far as the allegation against BSES Yamuna Power Ltd. is concerned, counsel appearing for the respondent no.4 submits that a complaint has already been filed with the concerned police station and further action in accordance with law would be taken against the violator.

As far as alleged bill of Rs.2,30,000/- approximately is concerned, the Court had refrained from making any comment or direction thereon and therefore, no contempt is made out.

In view of the above, I find no merit in the present petition and the same is accordingly dismissed.

Dasti.

NAVIN CHAWLA
(VACATION JUDGE)

JUNE 20, 2018
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