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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 720/2016 & CM Nos. CM Nos.39968/2016 & 11070/2017**

GOSWAMI VIDYAPITHA SOCIETY Petitioner
Through: Ms Urvashi Singh, Advocate.

versus

V K GOVIL & ORS Respondents
Through: Dr Ashwani Bhardwaj, Advocate.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER
% **16.02.2018**

1. The petitioner has filed the present petition, *inter alia*, praying as under:-

“a. Respondents may be punished for the contempt for the violation of Order dated 20.11.2008 and undertaking given before the Hon’ble Court in the Contempt Petition CC(C) no.860/2010.”

2. It is the petitioner’s case that the respondents have wilfully violated the order dated 20.11.2008 passed in W.P.(C) 743/2002 and the order dated 04.09.2012 passed in Cont. Cas.(C) 860/2010. The operative part of the order dated 20.11.2008 reads as under:-

“.....The respondent nos.1 and 2 shall consider the claim of the petitioner for allotment of primary school plot in Shivalik or any other area according to its policy and on merit. The petitioner shall be free to move an application before the respondents for its being considered for allotment of a plot.”

3. The petitioner had also filed a contempt petition (Cont. Cas. (C) 860/2010), which was disposed of by an order dated 04.09.2012 on the following statement made by the learned ASG:-

“In these circumstances, learned ASG submits, on instructions, that in case a plot for setting up a primary school is to be allotted then, the claim of the petitioner shall be considered in terms of the judgment dated 20.11.2008.”

4. The petitioner alleges that despite the aforesaid orders, certain premises had been allotted to R. K. Mission without considering the case of the petitioner.

5. The learned counsel appearing for respondent nos.1 & 2 has drawn the attention of this Court to the Meeting of the Land Allotment Screening Committee (LASC) dated 03.02.2011, which indicates that the petitioner's case for allotment of plot for a primary school at Shivalik and other area was considered. However, LASC did not recommend the allotment of land to the petitioner society. The learned counsel appearing for the respondents further states that R.K. Mission was already running an established school and only about 80 Sq. mtrs of additional land adjacent to the existing land was allotted to them for certain purposes.

6. The learned counsel appearing for the petitioner earnestly contended that the reasoning on the basis of which the petitioner's application for allotment of land has been rejected also hold good for allotment to any other society. Be that as it may, this Court is of the view that there is insufficient material to hold that the orders passed by this Court have been violated. The

petitioner may be aggrieved by the decision of the LASC and it is open for the petitioner to challenge the same. However, no ground for taking any punitive measure against the respondents is established.

7. The petition and the applications are, accordingly, dismissed.

VIBHU BAKHRU, J

FEBRUARY 16, 2018/MK