

\$~2.

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

%

Date of Decision: 14th October, 2019

+ CONT.CAS(C) 230/2018

ARPIT BHARGAVA

..... Petitioner

Through: Petitioner in person with Mr.Puneet
Sharma, Adv.

Versus

MADHUP VYAS & ANR

..... Respondents

Through: Mr.Mukesh Gupta, Standing Counsel
with Mr.Sanjeev Garg, Adv. for SDMC & North
DMC along with Mr.M.P.Sharma, Health
Inspector, SDMC.

Mr.Anuj Agarwal, Adv. with Mr.Deepak
Srivastava, Adv. for GNCTD.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT

: **D.N. PATEL, Chief Justice (Oral)**

1. This contempt petition has been preferred with the following prayers:-

“a) *To take coercive steps against the Respondent/Contemnor
No.1 & 2 for wilful defiance/disobedience of the orders of this
Hon'ble Court as well as interfering with the due course of
any judicial proceedings/administration of justice:*

I. *by not filing counter affidavit in terms of order dated
05.07.2017 by Contemnor No.1,*

II. *by deliberately filing false affidavit dated 10.10.2017
by Contemnor No.2,*

III. by not taking any action against illegal running of community halls in its jurisdiction till date,”

2. It appears that one of the grounds for filing this contempt petition is that the respondents were not filing the affidavits despite the orders passed by this Court and another ground is about the affidavit dated 10th October, 2017 filed by the respondents in the W.P.(C) No.2475/2017, which the petitioner alleges to be false affidavit.

3. Having heard the learned counsel for the parties and looking to the facts and circumstances of the case, it appears that the respondents have already filed their status reports in the main writ petition, i.e., W.P.(C)No.2475/2017. Moreover, the main writ petition has already been disposed of by us vide order dated 14th October, 2019, as the respondents have closed/sealed down several community halls (shaadi ghars, baraat ghars etc.), some of them falling in the SDMC area and some in North Delhi Municipal Corporation area including one banquet hall situated in the North Delhi Municipal Corporation area known as Nabi Hall, Farash Khana, Delhi – 110006, which has already been sealed. The second floor of the said property, where a gym was being operated, has also been sealed.

4. Thus, we see no reason to initiate any action in contempt upon the respondents for the deliberate breach of the orders passed by this Court.

5. The contempt case is, therefore, dismissed.

CHIEF JUSTICE

OCTOBER 14, 2019/‘anb’

C.HARI SHANKAR, J