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

% Date of decision: 22nd December, 2023

+ **CONT.APP.(C) 61/2023 & CM APPL. 67441/2023**

MOHD ISMAIL MAULAI & ORS. Appellants

versus

RAHEESUDDIN & ORS. Respondents

Advocates who appeared in this case:

For the Appellants: Mr. A K Srivastava, Advocate with Appellant in person.
For the Respondents: Mr. Varun Goswami, Mr. Sahil Agarwal and Mr. Hritik Chaudhary, Advocates.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

HON'BLE MR. JUSTICE MANOJ JAIN

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

CM APPL. 67441/2023(exemption)

Exemption allowed, subject to all just exceptions.

CONT.APP.(C) 61/2023 & CM APPL. 67440/2023

1. Appellant impugns order dated 19.12.2023 in CM 62173/2023 whereby appellant has been directed to hand over possession of the property to the respondent.

2. The subject appeal is an appeal filed under Section 19 of



Contempt of Courts Act, 1971. An appeal under Section 19 lies only where the Court has exercised its Jurisdiction to punish for contempt.

3. Reference may be had to the judgment of the Supreme Court in *D.N. Taneja versus Bhajan Lal* (1988) 3 SCC 26. Subject order under challenge does not show exercise of Jurisdiction to punish for contempt. Accordingly the subject appeal is not maintainable.

4. The appeal is consequently dismissed.

5. Needless to state that dismissal of this appeal will not preclude the appellant from taking appropriate remedies in accordance with law.

6. Order dasti under the signatures of the Court Master.

SANJEEV SACHDEVA, J

MANOJ JAIN, J

DECEMBER 22, 2023/sw