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

+ **CONT.CAS(C) 688/2023 & CM APPL. 45485/2023**

**PNB STAFF COOPERATIVE HOUSE BUILDING SOCIETY
LIMITED**

..... Petitioner

Through: Mr. Sarad Kumar Sunny, Adv. with
Mr. Keshav Mann, Adv.
M :9958178853

versus

MUNICIPAL CORPORATION OF DELHI & ANR. Respondents

Through: Mr. Sanjeev Sabharwal, Standing
Counsel for MCD with Ms. Shweta
Singh, Adv.
M: 9810031680
E mail: solicitor6@gmail.com

**CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA**

**ORDER
09.01.2024**

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1. The present petition has been filed alleging non-compliance of the order dated 26th November, 2020 passed in W.P. (C) No. 9494/2020, wherein, this court had passed the following directions:

“4. In the circumstances, this petition shall be treated as the petitioner’s representation to the Corporation. The parties shall be heard through video conferencing, if so preferred, through their counsel as well, in three weeks. The decision of the Corporation shall be communicated to the parties promptly thereafter.”



2. It is the case on behalf of the petitioner that no hearing has been granted to the petitioner prior to passing of any order by the respondent.
3. Mr. Sanjeev Sabharwal, learned standing counsel appearing on behalf of the Municipal Corporation of Delhi (“MCD”) on the other hand points out to the status report dated 26th May, 2023 filed on behalf of the MCD.
4. He submits that the area in question was inspected and it was found that only three gates were permissible as per the guidelines of the MCD circular dated 25th June, 2007.
5. However, Mr. Sanjeev Sabharwal, concedes to the fact that no hearing was given to the petitioner. He submits that when the petitioner was called for hearing, none appeared for such hearing.
6. However, this is disputed by the learned counsel appearing for the petitioner and he submits that the petitioner was never contacted.
7. Be that as it may, with the consent of both the parties, it is directed that the respondent shall be given hearing by the petitioner.
8. All the documents and submissions which are already on record in the writ petition, may be considered by the MCD and after giving due hearing to the petitioner through their counsel, a reasoned and speaking order shall be passed by the MCD within four weeks of completion of hearing to the petitioner.
9. The Deputy Commissioner of Shahdara (South) Zone of the MCD is directed to give hearing to the counsel for the petitioner, Mr. Sarad Kumar Sunny along with representatives of the PNB Staff Cooperative House Building Society Ltd. on 19th January, 2024 at 03:30 p.m. at the office of the Deputy Commissioner, Shahdara (South) Zone.
10. With the aforesaid directions, the present Contempt Petition is



disposed of along with the pending application.

MINI PUSHKARNA, J

JANUARY 9, 2024/kr