



2024:DHC:2502



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

+ **CONT.CAS(C) 926/2022**

RISHU KANT SHARMA

..... Petitioner

Through: Mr. Kanwal Chaudhary,
Advocate

versus

KULBIR SINGH & ANR.

..... Respondents

Through: Ms. Pratima N. Lakra, CGSC
with Ms. Vrinda Baheti and Ms. Kashish
Baweja, Advocates for R1

Ms. Manika Tripathy, Standing Counsel
with Mr. Naveen Sarswat, Advocate for
DDA

Mr. Divyam Nandrajog with Mr. Mayank
Kamra and Mr. Gautam Maan, Advocates
for DCF

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER (O R A L)

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20.03.2024

1. The genesis of this contempt petition is an order dated 3 August 2018 passed by this Court in W.P. (C) 7266/2017. By the said order, the Delhi Development Authority (DDA) was restrained from permitting social, cultural, commercial, marriage or other similar functions to be conducted in the District Park located at Janakpuri. According to Mr. Chaudhary, learned counsel for the petitioner, there were, thereafter, repeated infractions of the said directions by the DDA, which necessitated filing of Contempt Case (C) 229/2019, as



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well as repeated applications for directions to the DDA to strictly comply with the order dated 3 August 2018. There is no dispute that the said applications have been granted by this Court from time to time, and orders mandating strict compliance, by the DDA, of the directions contained in the order dated 3 August 2018 have also been passed by this Court.

2. The petitioner had filed an earlier Contempt Petition being Cont. Cas (C) 229/2019 (*Rishu Kant Sharma v. Satyender Prasad*), ventilating the same grievance. In that case, an unconditional apology was tendered by the DDA to this Court. It was submitted that the lapses had occurred owing to administrative changes and no further permission would be granted for holding religious and cultural functions except with prior permission of this Court.

3. The submission of Mr. Chaudhary, who appeared for the petitioner in that Contempt Petition as well in this, is that, in view of the stance of the DDA, noticed in the order dated 15 May 2023 passed by this Court, and in view of the subsequent compliance by the DDA during the pendency of the writ petition, the petitioner was satisfied and did not press for further relief. This Court, therefore, accepted the unconditional apology tendered by the DDA and disposed of the petition, binding the DDA to the statement made before it.

4. It is not the case of the petitioner that, after 15 May 2023, any further permission has been granted by the DDA for holding any function of the kind which was prohibited by this Court in its order



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dated 3 August 2018.

5. This Contempt Petition relates to a function which was permitted to be held between 19 August 2022 to 11 September 2022 during the occasion of *Janamashtami*. The statement made by Mr. Chaudhary on 15 May 2023, on instructions from his client, would also cover this function.

6. Nonetheless, Ms. Manika Tripathi, learned Standing Counsel for the DDA, submits that the permission which was granted for holding *Janamashtami* between 19 August 2022 to 11 September 2022 was owing to an erroneous construction placed by some officials of the DDA on an order passed by the Division Bench of this Court in an LPA. She tenders her unconditional apology for the said lapse. She reiterates the assurance given by the DDA on 15 May 2023 to the effect that, till the order dated 3 August 2018 continues to remain in force, no further permission for carrying out any social, cultural, marriage or any similar function in the District Park at Janakpuri would be granted by the DDA, without leave of the Court.

7. In view of the said statement, this contempt petition is closed.

C.HARI SHANKAR, J

MARCH 20, 2024/yg

Click here to check corrigendum, if any