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

% **Date of decision: 5th August, 2024**

+ **CONT.CAS(C) 969/2022**

DR ATUL GUPTAPetitioner

Through: **Mr. Kanwarpal Singh and Ms. Ananya Parashar, Advs.**

versus

MR. VINAI KUMAR SAXENA, CHAIRMAN, DDA & ANR.

.....Respondents

Through: **Mr. Arun Birbal & Mr. Sanjay Singh, Advs. for DDA**

Mr. Sameer Vashisht, ASC (Civil) GNCTD with Mr. Vedansh Vashisht, Ms. Harshita Nathrani & Mr. Arjun Gupta, Advs.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

DHARMESH SHARMA, J. (ORAL)

1. Having heard the learned counsels for the parties present and on perusal of the record, this Court finds that the present Contempt Petition is no longer sustainable.

2. Suffice to state that the petitioner filed WP(C) No. 2215/2022 wherein he sought certain directions to raise the height of the grills of the boundary walls of certain public parks etc. The Division Bench of this Court *vide* order dated 08.02.2022 disposed of the said writ petition passing the following directions:

“3. From the pleadings and the annexures appended to the writ petition, we find that the Petitioner has made complaints dated 05.07.2016 and 28.07.2016 which are still pending. We



accordingly, direct the concerned Respondent(s) to treat this writ petition as a representation and look into the grievances ventilated by the Petitioner, in the present writ petition as well as the complaints aforementioned and take a decision thereon in accordance with law, rules regulations and Government policies applicable to the facts of the case, as expeditiously as possible.

4. Writ petition is disposed of with the aforesaid directions, granting liberty to the Petitioner to take recourse to remedies available to the Petitioner, in an appropriate Forum in accordance with law, in case of any surviving/further grievance.

5. Pending application is also disposed of.”

3. The grievance of the petitioner is that his representation has not been considered within a time-bound manner, as was directed by the Court.

4. Mr. Arun Birbal, learned counsel for the respondents submits that although there was a delay on the part of the respondents in considering the representation as they had to collate all the information with regard to such public places, however, he has alluded to the email dated 01.06.2023 sent to the learned counsel for the petitioner, who is appearing today, apprising him of the decision taken by the Competent Authority so much so that a copy of minutes dated 19.05.2023 whereby *inter alia* his representation was considered and decided, was also sent to him.

5. Learned counsel for the petitioner, however, submits that his representation has not been considered in a rightful manner and that the real situation on the ground is altogether different, and hence it is urged that the grievances of the petitioner are yet to be addressed.

6. I am afraid nothing survives in the present Contempt Petition since the grievances of the petitioner have been addressed and decided. This Court cannot go into the disputed questions of facts



raised by the learned counsel for the petitioner in the present contempt proceedings.

7. Accordingly, the present contempt petition is dismissed without prejudice.

DHARMESH SHARMA, J.

AUGUST 05, 2024
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