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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CONT.CAS(C) 898/2019, CM APPL. 43956/2019, CM APPL.
50972/2019, CM APPL. 28168/2023 & CM APPL. 64848/2023
SHRIPAL Petitioner

Through: Mr. Ravinder Sethi, Sr. Adv. with Mr.
Puneet Sharma, Advocate
(M:9818153181)

versus

SHAILESH KUMAR & ANR Respondents

Through: Mr. Anuj Aggarwal, ASC-GNCTD
with Mrs. Manika Aggarwal, Ms.
Arshya Singh, Advocates for R-1&2
(M:9891363718)

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

26.04.2024

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1. The present contempt petition has been filed alleging willful disobedience of the order dated 22nd July, 2019, passed by the Division Bench of this Court in *W.P.(C) No. 2503/2017*, wherein the respondents were directed to remove the unauthorized construction after giving an adequate opportunity to the occupants/owners of the premises, in accordance with law.
2. Subsequently, vide order dated 09th September, 2022, passed by this Court in the present proceedings, the respondents were directed to carry out a demarcation exercise and file a Status Report therein. Against the aforesaid order dated 09th September, 2022, an application being *CM APPL. 28167/2023* was filed seeking recall of the directions as contained in the aforesaid order dated 09th September, 2022.
3. However, by order dated 09th October, 2023, passed in the present



proceedings, a Coordinate Bench of this Court held that there was no apparent error on the face of record and the application seeking recall of the order dated 09th September, 2022, was dismissed. Thus, it seen that the order dated 09th September, 2022, wherein the respondents were directed to carry out demarcation exercise, stands to be complied with.

4. Accordingly, the respondents are directed to carry out the demarcation of the land in question, in order to assess if there is any encroachment on the subject land.

5. At this stage, Mr. Anuj Aggarwal, learned Standing Counsel for Govt. of NCT of Delhi, on instructions submits that the subject land is jointly owned by the Delhi Development Authority, Municipal Corporation of Delhi and Forest Department. He, thus, submits that further time may be granted for carrying out the demarcation exercise.

6. Accordingly, it is directed that demarcation exercise shall be carried out by the requisite Departments within a period of six months. However, in case it is not possible to complete the said demarcation exercise within the aforesaid period, the respondents shall be at liberty to approach this Court seeking extension of time in that regard.

7. Needless to state that all the requisite parties, including the government authorities, shall cooperate with each other in carrying out the demarcation process.

8. With the aforesaid directions, the present petition is disposed of, along with the pending applications.

MINI PUSHKARNA, J

APRIL 26, 2024/ au