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

+ **CONT.CAS(C) 1372/2022 & CM APPL. 54287/2022**

SMT MITA PRASAD

..... Petitioner

Through: Dr. Amit George, Mr. Rayadurgam
Bharat, Mr. Rishabh Dheer, Mr.
Shashwat Kabi, Advocates
(M:9643484092)

versus

GULSHAN BHOLA & ORS.

..... Respondents

Through: Ms. Suhansi Yadav, Advocate for
Respondent No.1 and 2 (Mob
No.9999977240)
Ms. Beenashaw Soni, SC-MCD with
Ms. Mansi Jain, Advocates for R-
3/MCD
Ms. Aditi Saraswat, Advocate for Mr.
Jawahar Raja, ASC (Civil) GNCTD
for R-4 (M:7708746786)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

12.01.2024

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1. Ms. Suhansi Yadav, learned counsel for respondent nos. 1 and 2 submits that with respect to the demolition order passed by the Municipal Corporation of Delhi ("MCD") qua third and fourth floor of the property bearing No. 217 A, Dhakka, Near Bhai Parmanand Colony, Delhi-110009, an appeal bearing no. 156/2023 has been filed before the Appellate Tribunal-MCD ("ATMCD").
2. She submits that by order dated 31st March, 2023, stay has been granted by the learned ATMCD against the demolition order passed by the



MCD. She submits that the said stay was continued by the learned ATMCD vide order dated 01st November, 2023 and that the said stay order is still continuing. She submits that appeal before the learned ATMCD is now listed for hearing on 23rd January, 2024.

3. Considering the aforesaid statement, it is clear that no action can be taken by the MCD with respect to any unauthorized construction existing on the third and fourth floor of the property in question, on account of the stay granted by the learned ATMCD.

4. In view thereof, no further orders can be passed in the present contempt petition for the time being. However, liberty is granted to the petitioner to revive the present contempt petition, in case any grievance still survives.

5. Learned counsel for respondent nos. 1 and 2 is directed to supply the copy of the appeal filed before the ATMCD to learned counsel for the petitioner.

6. With the aforesaid directions, the present contempt petition is disposed of.

MINI PUSHKARNA, J

JANUARY 12, 2024

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