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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CONT.CAS(C) 1823/2023 & CM APPL. 1239/2024**

**ABDUL MANNAN**

..... Petitioner

Through: Mohd. Anis Ur Rehman, Advocate  
with petitioner in person.  
Email. [advanisrehman@gmail.com](mailto:advanisrehman@gmail.com)

versus

**GYANESH BHARTI & ORS.**

..... Respondents

Through: Mr. Ashutosh Gupta, ASC with Mr.  
Abhinav Shokeen, Advocate for R-1  
Mr. Prashant and Ms. Arani  
Mukherjee, Advocate with SHO  
Daryaganj.  
SI Mahavir, PS Daryaganj.

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

**ORDER**  
**09.01.2024**

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**CM APPL. 1239/2024**

1. The present is an application on behalf of the petitioner under Order XXIII Rule 1 read with Section 151 of Code of Civil Procedure, 1908 ("CPC") for withdrawal of the present contempt petition.
2. It is submitted on behalf of the petitioner that in compliance of the directions passed by this Court vide order dated 5<sup>th</sup> October, 2023 in *W.P.(C) 13042/2023*, the respondent has already taken demolition action in respect of the subject property. Thus, it is submitted that the petitioner is satisfied and therefore, may be permitted to withdraw the petition.



3. Learned standing counsel appearing for the respondent-Municipal Corporation of Delhi (“MCD”) confirms the fact of action taken by the MCD and submits that the fourth floor of the property in question, which was in the nature of unauthorized construction, has been demolished completely. He further submits that action is also being taken by the MCD with respect to the deviations that exist on the other floors.

4. Considering the aforesaid, the present application is allowed and the petitioner is allowed to withdraw the present contempt petition. Application is disposed of.

**CONT.CAS(C) 1823/2023**

5. In view of the order passed by this Court in *C.M. APPL. 1239/2024*, the present contempt petition is dismissed as withdrawn.

6. The next date of hearing, i.e. 30<sup>th</sup> January, 2024 is cancelled.

**MINI PUSHKARNA, J**

**JANUARY 9, 2024**

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