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

+ **CONT.CAS(C) 1649/2024**

**SHANTI DEVI (NOW DECEASED) LEGAL HEIR ANIL
KUMAR**

.....Petitioner

Through: Mr. Naveen Kumar Chauhan,
Adv.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.

.....Respondents

Through: Mr. Shivam Sachdeva,
Additional Standing Counsel
for MCD/R-1 and R-2
Mr. Vivek Sharma, Sr. Panel
Counsel, Adv. for R-3/Union of
India and R-5 and R-
6/Commissioner of Police and
SHO Mehrauli.
Mr. Manish Batra, Adv. for R-4
and 7

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

18.10.2024

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1. This hearing is being conducted through hybrid mode.
2. The petitioner is seeking initiation of the contempt proceedings against the respondents for the alleged willful disobedience of the directions of this Court dated 08.02.2024, 24.04.2024 and 31.05.2024 passed in W.P.(Civil) No. 1849/2024.
3. Learned Additional Standing Counsel for MCD/respondents No.1 and 2 is present on advance notice.
4. Learned Senior Panel Counsel for respondent No.3/Union of India and respondent No.5/The Commissioner of Police and



respondent No.6/The SHO PS: Mehrauli, is present on advance notice.

5. Learned counsel for respondent No. 4 /The State (Government of NCT of Delhi) and respondent No.7/The District Magistrate is present on advance notice.

6. In a nutshell, the grievance of the petitioner is that despite aforesaid directions of this Court, unauthorized constructions are being done at the subject property, and no action has been taken by the respondents No. 1 and 2/MCD.

7. Learned counsel for respondents No. 1 and 2/MCD has pointed out that appropriate action has been taken so much so that the property has been sealed. The documents in the nature of copies of the images of the premises have placed on the record to the effect that appropriate legal action has been taken and the property stands sealed.

8. However, learned counsel for the respondent MCD on instructions has submitted, that the occupier/builder of the property in question has moved the Appellate Tribunal MCD challenging the action at the instance of the MCD and vide order has been passed in A. Nos. 603/2024 and 613/2024, whereby the respondents has been directed to maintain status quo. Copies of the same are placed on the record. Let the said documents be digitized by the Registry.

9. Since the matter is already pending before the learned ATMCD, the present contempt proceedings shall serve no purpose in law. Accordingly, the present petition is dismissed without prejudice.

DHARMESH SHARMA, J.

OCTOBER 18, 2024

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