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

% ***Date of Decision: 26th November, 2024***

+ **CONT.CAS(C) 1871/2024 & CM APPL. 68851/2024**

RUKMANI DEVI

.....Petitioner

Through: **Mr. Kuldeep Kumar, Advocate.**

versus

SH ABHISHEK KUMAR AND ORS.

.....Respondent

Through: **Mr. G. S. Oberoi, SC alongwith Mr.
Ankur Sharma, Advocate.**

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner seeks initiation of contempt proceedings against respondent for wilful disobedience of the directions contained in order dated 21.06.2024 in W.P.(C) No. 8650/2024.
2. The relevant directions are contained in para 5, 6 and 7 of the above said order which read as under:-

“5.Learned counsel for MCD states that the property bearing No. B-18, Sanwal Nagar, New Delhi has been booked twice i.e. on 24.05.2024 & 18.06.2024 and demolition order has been issued on 31.05.2024. He further informs that a letter has been written to SHO PS Defence Colony to ensure that no further unauthorized construction takes place.

6. On behalf of respondent No. 4, it is assured by the learned counsel that unauthorized construction would be got stopped as per the letter received from the MCD.

7. Since appropriate action is already being taken by the MCD and the police, no further orders are required to be passed.”



3. According to petitioner, nothing has been done by the MCD subsequent to the above said order and unauthorised construction is still going on.
4. Learned counsel for MCD appears on advance notice and submits that against the action taken by the Municipal Corporation of Delhi, the concerned owner/occupier has already filed an appeal before the learned MCD Appellate Tribunal which has been registered as Appeal No. 529/2024 and the next date of hearing is 17.12.2024.
5. Mr. Kuldeep Kumar, learned counsel for the petitioner submits that he is not aware about any such development and also wonders whether any stay has been granted by the learned Tribunal or not.
6. Be that as it may, since the concerned occupier/owner has already approached the learned Tribunal and it is also informed by the learned MCD that such owner/occupier has also moved an application seeking regularisation, there is no point in keeping this contempt petition pending any further.
7. In view of the above said development, the present contempt petition stands disposed of. However, petitioner is at liberty to participate in above said proceedings, if permissible under law.

(MANOJ JAIN)
JUDGE

NOVEMBER 26, 2024/SW