



2024:DHC:9902



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* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of Decision: 19th December, 2024

+ CONT.CAS(C) 1997/2024

PUSHPA PANDEY

.....Petitioner

Through: Ms. Hasnain Ali Zuberi, Advocate.

versus

SHIVAM & ORS.

.....Respondent

Through: Mr. Puneet Yadav, Additional
Standing Counsel.**CORAM:****HON'BLE MR. JUSTICE MANOJ JAIN****J U D G M E N T (oral)**

1. Petitioner seeks initiation of contempt proceeding against respondent for non-compliance of the directions contained in order dated 3rd October, 2024 passed by Coordinate Bench of this Court in W.P.(C) 13860/2024.
2. When the above said writ petition was taken up, the learned counsel for MCD had appeared and submitted that *work-stop notice* had already been issued and further steps would be taken, as expeditiously as possible, and in any event, within eight weeks, subject to availability of police force.
3. In view of the above said statement, the writ petition was disposed of while directing that no further orders were required.
4. Simultaneously, it was also observed that in the event, the petitioner had any further grievance with regard to unauthorized construction, she would be at liberty to approach *Special Task Force* (STF) constituted by the Hon'ble Supreme Court.
5. Learned counsel for the respondent appears on advance notice and submits that thereafter the partial demolition action was taken on 5th November, 2024 and during the course of the above said demolition, two (02)



RCC Panels were cut down with the help of gas cutter at the roof of second floor.

6. It has also been submitted that letters have already been sent to concerned police station with request to keep strict vigil over the property so that the concerned occupier/owner is in no position to restore the demolished portion or tamper with seals affixed by the department. It further submits that once the restrictions with respect to Graded Response Action Plan (GRAP) are lifted, MCD shall take further necessary action, subject to availability of police force.

7. In view of the above said submission, the filing of the present contempt petition seems little misplaced.

8. Moreover, the directions contained in the above said order dated 3rd October, 2024 are amply clear and the petitioner has already been given liberty to approach *Special Task Force*, in case she has any subsisting grievance with respect to the unauthorized construction.

9. When asked, learned counsel for the petitioner submits that he is not aware whether the petitioner has approached *Special Task Force* or not.

10. Be that as it may, in view of the facts disclosed by any learned counsel for the respondent, no further action seems required, at the moment, in the present contempt petition. The petitioner is always at liberty to approach *Special Task Force* in terms of the above said directions.

11. The present petition stands disposed of.

(MANOJ JAIN)
JUDGE

DECEMBER 19, 2024/ss