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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 676/2018, CM APPL. 36523/2018 (delay of 156 days in filing), CM APPL. 9721/2019 (directions), CM APPL. 23358/2019, CM APPL. 26687/2019 (under Section 151 CPC) & CM APPL. 30635/2019 (for calling record)**

M/S ANJNEY LOYS PVT LTD

..... Petitioner

Through: None.

versus

MADHUP VYAS

..... Respondent

Through: Mr. Kapil Dutta, Mr. Vansh Luthra
and Ms. Simran Arora, Advocates
Mr Ajjay Aroraa, SC for MCD

CORAM:
HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

22.04.2024

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[Physical Hearing/Hybrid Hearing (as per request)]

1. Be awaited for petitioner.

GIRISH KATHPALIA, J

APRIL 22, 2024/rk

2. Even in second call in this post lunch session, none has appeared for petitioner. Basically, the contempt alleged against the respondent Commissioner, North Delhi Municipal Corporation (now MCD) is that the order dated 29.03.2017 of the co-ordinate bench of this court was not duly



complied with on two counts, namely timely disposal of the representation and disposal thereof by authority competent to do so. Admittedly, the representation in question was disposed of, *albeit* with delay and by the Assistant Engineer, MCD. The delay in disposal of the representation is explained on behalf of the respondent as the official movement of files and as regards authority, it is Assistant Engineer only who was competent authority to deal with representation of the petitioner.

3. Rather, it appears from record that pendency of this contempt petition is being used by the petitioner to obtain other reliefs, not covered by the contempt petition. In this regard, order dated 05.04.2019 has been perused by me.

4. *Prima facie*, I am unable to find any wilful disobedience of order dated 29.03.2017, but since none has appeared on behalf of petitioner even in this post lunch session, the petition is dismissed in default. All pending applications stand disposed of.

GIRISH KATHPALIA, J

APRIL 22, 2024/as

Click here to check corrigendum, if any