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

+ **CONT.CAS(C) 7/2024**

OM PARKASH

.....Petitioner

Through: Mr. Amit Kumar, Adv. along with
Petitioner in-person.

versus

SH GYANESH BHARTI & ORS.

.....Respondents

Through: Mr. Tushar Sannu, SC for MCD with
Ms. Ankita Bhadouriya, Mr. Abhinav
Jha, Advs.
D.C. Dilkhush Meena, in-person,
through VC.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

10.12.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Section 12(3) of the Contempt of Courts Act, 1971 seeks the following prayers: -

“A. Pass a contempt order to Initiate contempt proceedings against the Respondents/Contemnors Sh Gyanesh Bharti Commissioner Municipal Corporation of Delhi, Sh. Aquil Ahmed SZ/Executive Engineer (B-II), Municipal Corporation of Delhi , Sh. B.S Gupta SZ/Executive Engineer (B-II), Municipal Corporation of Delhi in lieu of the willful and deliberate disobedience the specific and unambiguous directions passed by this Hon'ble Court vide its Order dated 22.03.2023 in Writ Petition Civil No. 3620/2023; and
B. Pass a contempt order to initiate and investigation against the respondents/contemnors for their mal-functioning and not obeying the directions passed by this Hon'ble Court in aforesaid writ petition Order dated 22.03.2023 in Writ Petition Civil No. 3620/2023.”



3. *Vide* order dated 22.03.2023 passed in W.P.(C) 3620/2023, learned Single Judge of this Court had passed the following directions: -

“4. Learned counsel for the petitioner submits that the petitioner has claimed himself to be a public-spirited person and has stated in the petition that the same is filed in the public interest as he is not personally aggrieved by the construction in any manner. Be that as it may, learned counsel for the MCD, on instructions, further submits that the construction in the subject property was booked on 10.02.2023 whereafter the demolition order was passed on 03.03.2023. He further submits that the demolition action would be carried out expeditiously and in accordance with law.

5. In view of the above, the present petition is disposed of alongwith the pending application with a direction that the needful action be taken expeditiously preferably within a period of four months from today.”

4. Subsequently, a contempt case was initiated by the present petitioner being CONT. CAS(C) no. 1280/2023, which was disposed of by the learned Single Judge of this Court *vide* order dated 05.09.2023 with the following observations: -

“2. Mr. Dutta, learned Standing Counsel states that the demolition action has been taken on 2 earlier occasions and is also slated for 15.09.2023.

3. In this view of the matter, there is no intentional and mala fide violation of the order 22.03.2023 and the respondent is carrying out the directions contained in the said order.

4. Binding the respondent to the statement made by Mr. Dutta, learned Standing Counsel, the present contempt petition is disposed of.”



5. *Vide* order dated 16.10.2025, this Court had directed MCD to file an updated status report on account of certain allegations made on behalf of the petitioner.

6. Deputy Commissioner, MCD, Mr. Dilkhush Meena, is present before the Court today, through Video Conferencing.

7. Learned counsel appearing on behalf of the MCD has handed up in Court today a status report dated 08.12.2025 along with certain photographs of the demolition action, authored by Mr. Sanjeev Kumar, Executive Engineer (Bld.)-II of South Zone, MCD, Green Park New Delhi. The relevant portion of the status report, post the aforesaid order dated 16.10.2025, reads as under:

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21.	16.10.2025	Upon availability of police force, 03 shops have been re-sealed at Ground floor at 03 points.
22.	24.10.2025	Upon availability of police force, 02 RCC panels have been demolished at terrace and steel reinforcement bars cut down with the help of gas cutter. Copy of photographs showing demolition at



		terrace 1s annexed herewith as Annexure RA-10 (Colly).
23.	06.11.2025	Upon availability of police force, 02 flats at Ground floor and 0 1 flat have been sealed at First floor. Rest of the property 1 s found residentially occupied Copy of photographs showing demolition at first floor is annexed herewith as Annexure RA-11 (Colly).
24.	10.11.2025	Upon availability of police force, 02 RCC panels have been demolished at terrace and reinforcement bars cut down with the help of gas cutter. Copy of photographs showing demolition at terrace floor is annexed

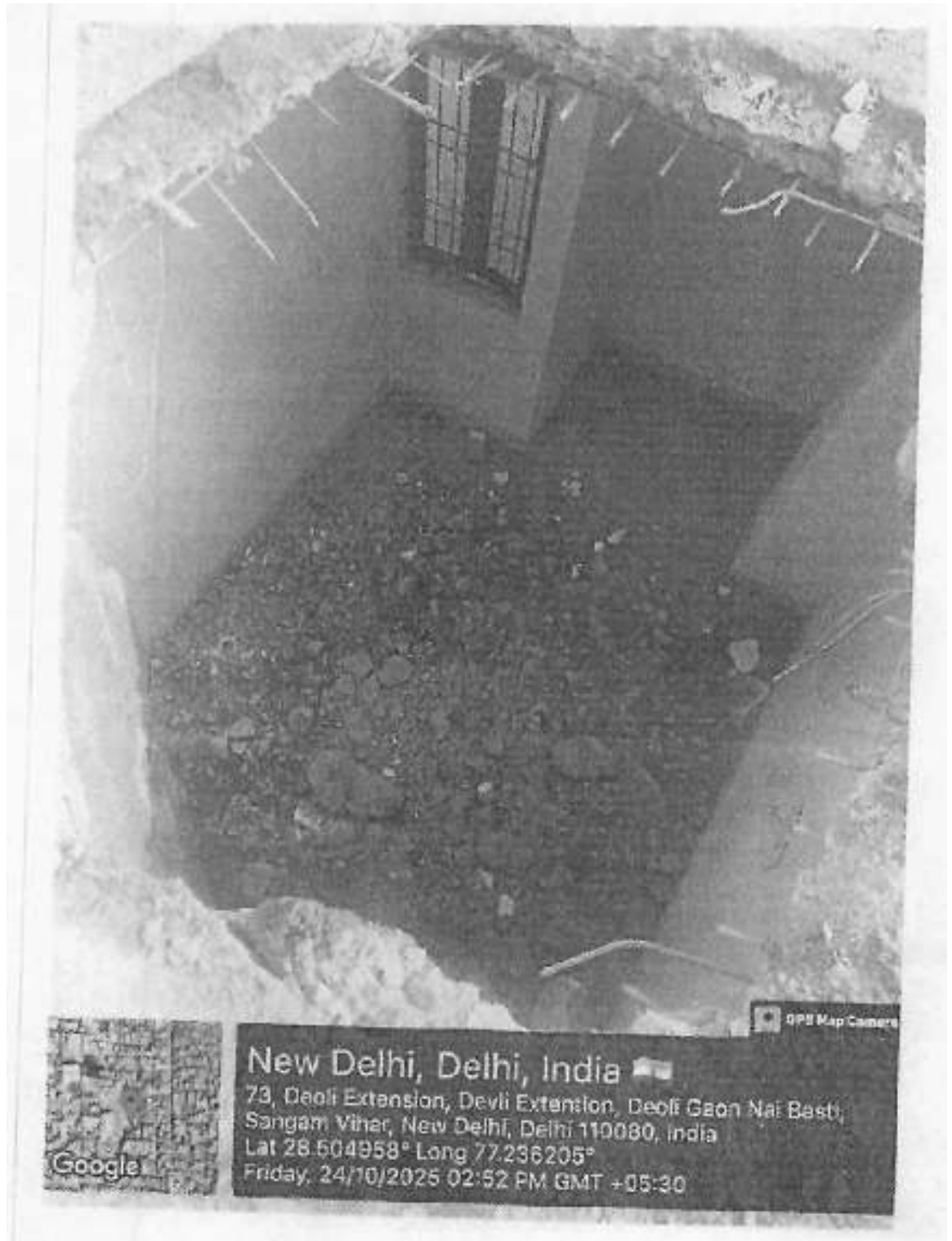


		herewith as Annexure RA-12 (Colly).
25.	03.12.2025	Action could not be taken due to nonavailability of police force
26.	04.12.2025	Upon availability of police force, the shutter of 02 shops at Stilt floor, and brick walls at one shop have been demolished and front balcony projections/ mam wall and iron grill have also been demolished. Beside this, 02 flat at Ground floor at 02 points, 02 flat at First floor at 02 points and 02 flats at 02 points at Second floor have been sealed. Simultaneously, brick walls at the Third floor have also been



		demolished. Copy of photographs showing demolition at ground, first, second and third floor are annexed herewith as Annexure RA-13 (Colly) .
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8. The relevant photographs of demolition action taken by the MCD are being reproduced here as under: -



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The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

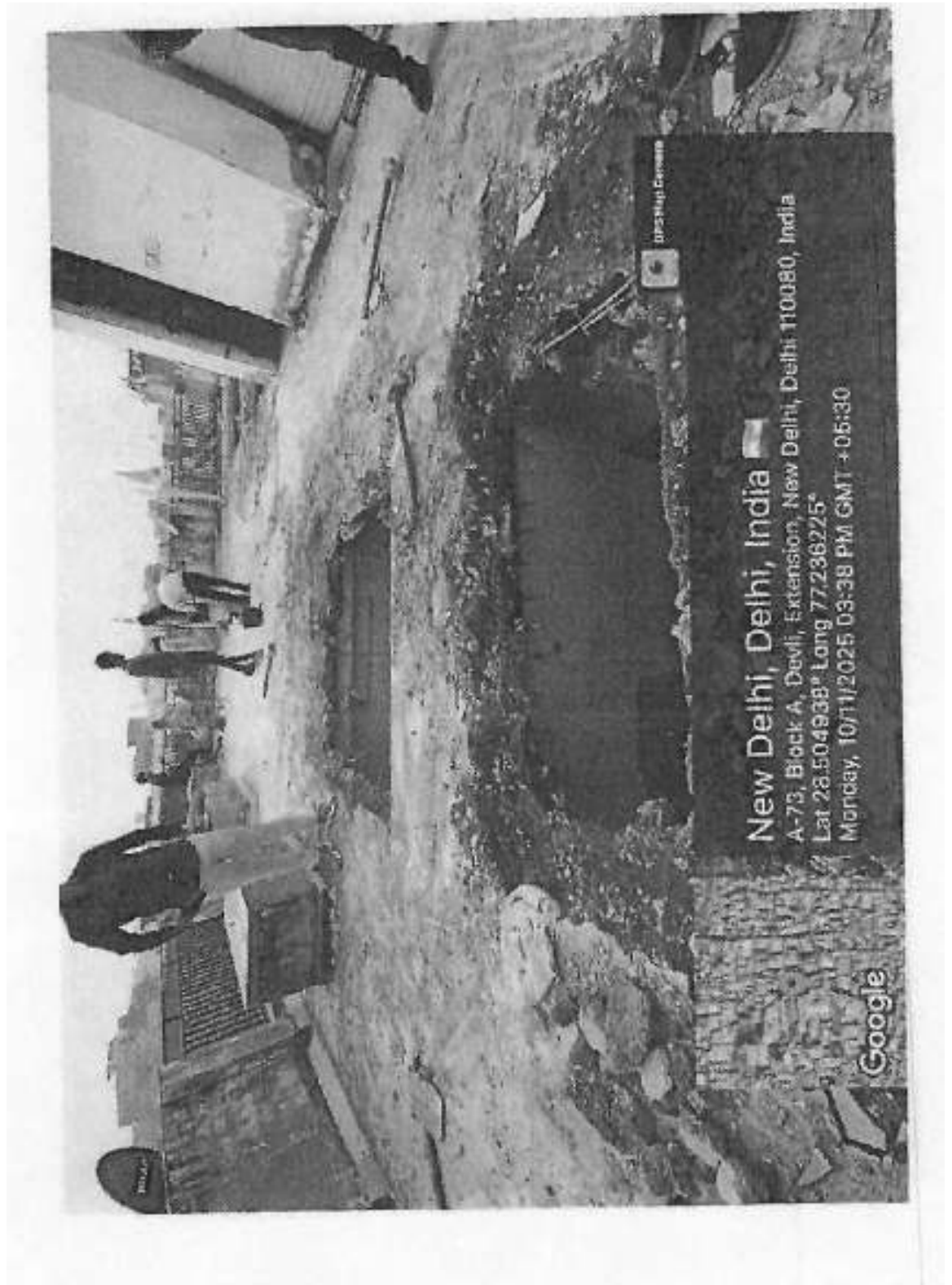
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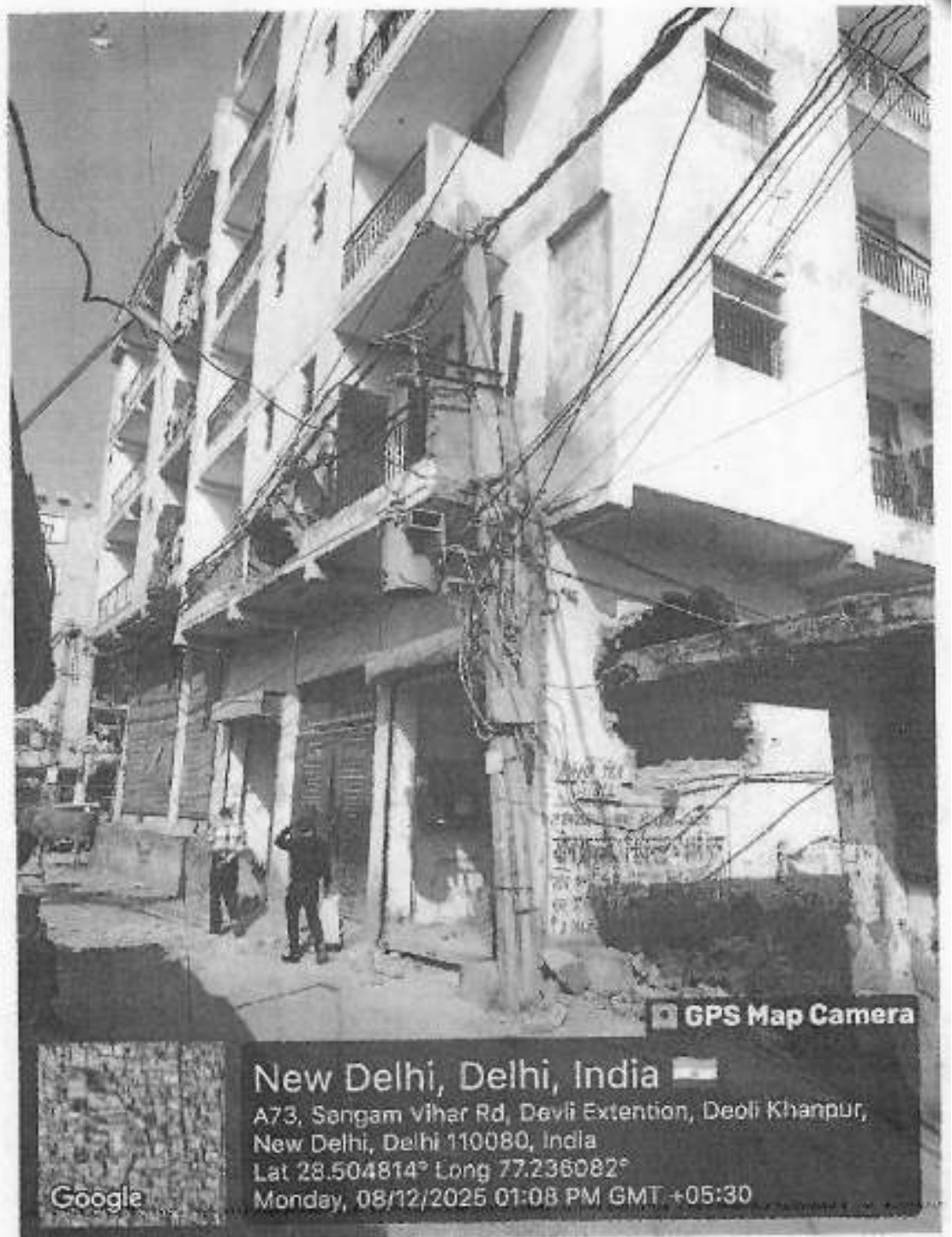
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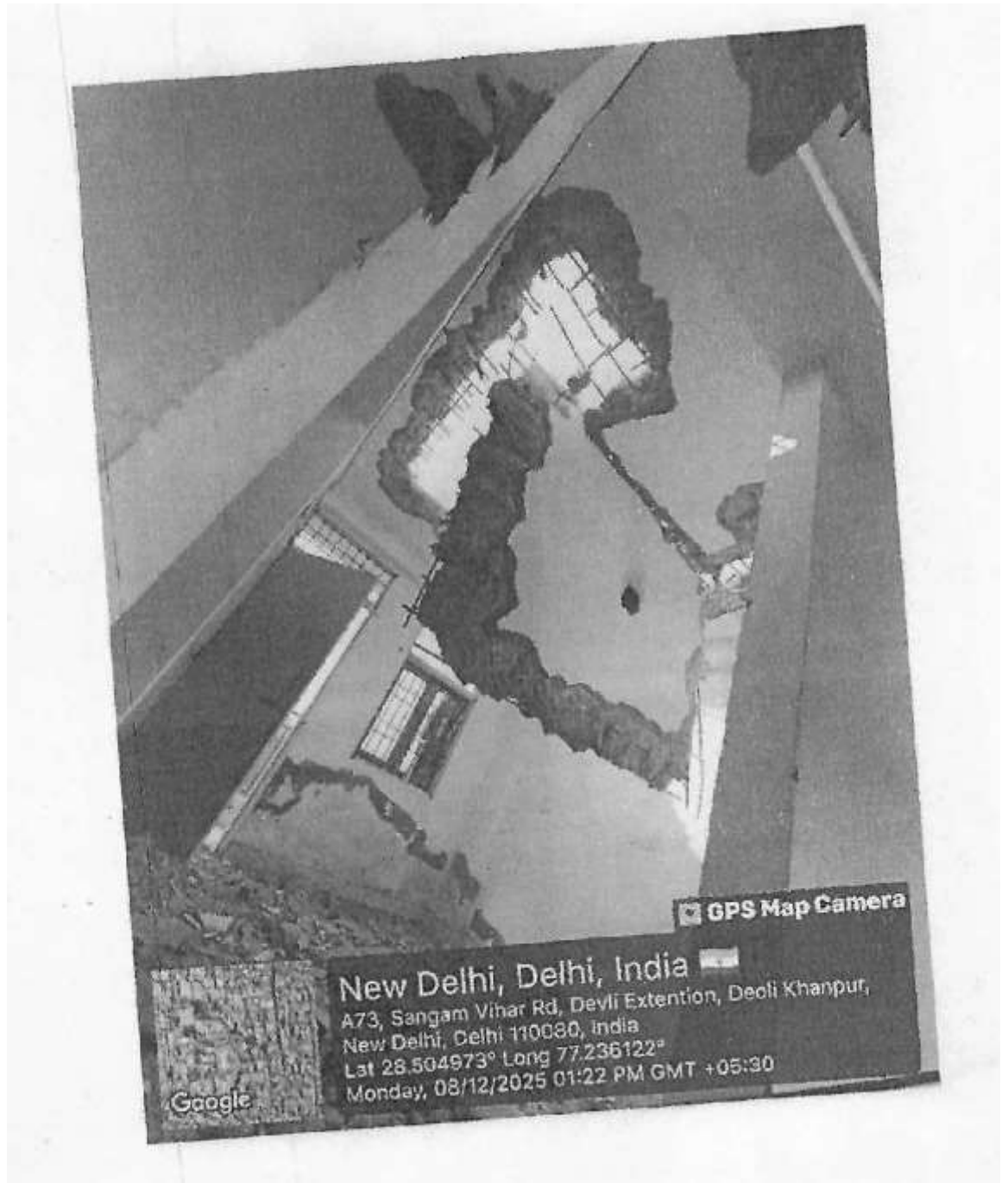
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9. It is pointed out by the learned counsel for the respondent that the petitioner, who is stated to be distant relative of the occupier of the subject property, did not disclose the same before the learned Single Judge at the time of passing of the order dated 23.03.2023 and instead claimed to be a public-spirited person.

10. A perusal of the status report would show that in pursuance of the aforesaid order dated 23.03.2023, relevant action had been taken by the MCD.

11. In view of the above, the present petition is disposed of with the directions to the concerned Department to take appropriate action in accordance with law, in furtherance of the status report placed on record on behalf of the MCD.

12. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

DECEMBER 10, 2025/kr/db