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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 198/2025**
DEEPAK CHAUDHARYPetitioner
Through: Mr. Naveen K. Sharma, Advocate
(through V.C.)

versus
ASHWANI KUMAR & ORS.Respondents
Through: Mr. Akash Chatterjee, Advocate for
MCD/respondent No.1.
Mr. Vivekanand Mishra, SPC for UOI
with Mr. Ashish Rawat, GP
(through V.C.)

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

% **ORDER**
10.02.2025

1. Petitioner seeks initiation of contempt proceedings against respondent Corporation for willfully disobeying the specific directions contained in order dated 04.12.2024 passed by learned Coordinate Bench of this Court in W.P.(C) 16734/2024.
2. Petitioner is aggrieved by the fact that illegal and unauthorized construction is still being done at Property No. 9/5301, Old Seelampur, Delhi, 110031.
3. When the above said writ petition was taken up for consideration on 04.12.2024, it was informed by MCD that a show cause notice had been issued to the owners/occupants and MCD would take appropriate action upon consideration of reply to the show cause notice and subject to availability of police assistance and as per the Graded Response Action Plan (GRAP) restrictions.
4. Taking such submissions on record, no further order was passed



in the above said writ petition and the rights and contentions of the concerned occupants/owners were also reserved. MCD was, accordingly, directed to take action, strictly, in accordance with law.

5. Learned counsel for respondent/Corporation appears on advance notice and submits that a fresh show cause notice under Section 345A of Delhi Municipal Corporation Act, 1957 was issued to the concerned occupier on 22.01.2025 and was given opportunity of personal hearing on 28.01.2025. It is submitted that since the concerned occupier did not appear, pursuant to the above said show cause notice, an order of demolition has now been passed on 30.01.2025. There is also a sealing order.

6. Respondent/Corporation undertakes to file copies of show cause notice dated 22.01.2025, demolition notice dated 30.01.2025 and sealing order dated 28.01.2025 during course of the day.

7. Let it be done.

8. In view of above, the petitioner cannot be permitted to contend that the order in question has been disobeyed by respondents.

9. After hearing arguments for some time, learned counsel for the petitioner submits that in view of the above said revelation of facts, the petitioner, at the moment, is not interested in pursuing with the present contempt petition. He, however, seeks liberty to revive, if situation so arises.

10. The petition is disposed of accordingly.

11. Liberty, as prayed, is granted.

MANOJ JAIN, J

FEBRUARY 10, 2025/st