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

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Date of Decision: 13th February, 2025

+ CONT.CAS(C) 230/2025

BIR SINGH

.....Petitioner

Through: Mr. Anil Jain, Advocate.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.Respondents

Through: Mr. Kapil Dutta with Mr. Vansh
Luthra, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner seeks initiation of contempt proceedings against respondents for wilful disobedience of the specific directions given by this Court way back on 29.10.2009 in W.P.(C) 10125/2009.

2. By virtue of the above said order, after hearing both the sides, the following directions were given:-

"3. In view of the stand of the MCD and the affidavit filed by the respondent no.1, it is directed that the respondents shall ensure that the 40 ft. lane next to the G.T. Karnal Road shall not be permitted to be used as a parking area. The SHO of the police stations concerned shall ensure that these orders are strictly complied with."

3. The grievance raised in the present petition is to the effect that the same site is now being permitted for parking by MCD itself. It is also submitted that a representation was sent to Commissioner of MCD on 07.12.2024 but MCD has not given any attention to such representation till date and, therefore, petitioner is forced to file the



present contempt petition.

4. According to learned counsel for petitioner, the parking is now being permitted with respect to the same area, as reflected in the above said order dated 29.10.2009.

5. Learned counsel for respondents appears on advance notice and submits that there is no question of flouting any such direction given by the Court. He submits that the area in question is different from the one mentioned in the above said writ petition.

6. After hearing arguments for some time, learned counsel for the petitioner submits that he would not press his present contempt petition provided the representation of the petitioner is decided by MCD in a time-bound manner, while keeping in mind the above said specific directions given by this Court. He also seeks to submit a fresh representation.

7. Learned counsel for respondents submits that it will be ensured that such representation is considered without any delay and, strictly, in terms of the above said specific directions dated 29.10.2009.

8. In view of the above, the present petition is disposed of with direction to petitioner to submit a fresh representation within a period of 10 days from today with further direction to MCD to dispose that of within a further period of four weeks.

9. However, before disposing of the above said petition, a personal hearing shall also be given to the petitioner/representative of the petitioner by the concerned Deputy Commissioner (R.P. Cell).

10. The petition is disposed of in the aforesaid terms.

11. Needless to say, if petitioner is aggrieved by the outcome of the



representation, he would be at liberty to take remedial action, as permissible under law.

(MANOJ JAIN)
JUDGE

FEBRUARY 13, 2025/st