



\$~30

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

+ **CONT.CAS(C) 331/2025**

RITU CHAUHAN

.....Petitioner

Through: None.

versus

**ASHWINI KUMAR COMMISSIONER
OF MCD AND ORS**

.....Respondents

Through: Mr. Abhinav Singh and Mr. Rishab
Mittal, Advocates for MCD.
Mr. Anshuman, SPC for R-2 and 3.
PSI Sahil H., PS Dabri.

**CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA**

ORDER
05.12.2025

%

1. This hearing has been done through hybrid mode.
2. The present petition under Sections 11 and 12 of the Contempt of Courts Act, 1971 seeks the following prayers:-

“a) Initiate contempt proceeding against the alleged contemnor for willfully and deliberately disobeying the judgment dated 11.11.2024 of this Hon'ble Court passed in the Writ Petition (Civil) 15656 of 2024.
b) Pass any other or further order/s as this Hon 'ble Court may deem fit and proper in the facts and circumstances of the case.”

3. Status report dated 23.06.2025 has been placed on record by the MCD wherein it has been recorded as under:-

“11. That subsequent to receiving of the contempt petition, the aforesaid property was inspected by the concerned officials and it was found that being a corner property it falls on two side road having 25 feet and 10 feet wide road. However, upon further examination, it was



also found that the owner of subject property had sold a part of his property at the back side (on 10 feet gali side road) and now, it has been re-addressed as B-63A, Keshav Ram Park, Uttam Nagar, New Delhi.

12. That as alleged by the complainant that the action has taken by the department against P.No. B-60, Keshav Ram Park, New Delhi, it is submitted that the allegation of the complainant is wrong and baseless, as department has taken action under the provisions of DMC Act against P.No. B-63, Keshav Ram Park, Uttam Nagar, New Delhi. Further, subsequent to aforesaid inspection and based on identification of the petitioner/ complainant about alleged property, which has been re-addressed as B-63A, Keshav Ram Park, Uttam Nagar, New Delhi and accordingly action against the unauthorized construction in the said property has also been initiated vide file No. EE(B)-I/WZ/UC/2025/47 dated 07.04.2025 and a Show cause notice under Section 344 (1) & 343 of the DMC Act was issued to owner/ builder on 07.04.2025. Copy of the show cause notice dated 07.04.2025 is annexed herewith as **Annexure-'E'**.

13. That, a letter u/s 344(2) of the DMC Act was also issued to the SHO concerned vide No. D-20/EE(B)-I/WZ/2025/AE dated 09.04.2025 with a request that the unauthorized construction activity at site be stopped immediately.

14. That the owner/builder was also given an opportunity of personal hearing in the matter and the date of hearing was fixed for 22.04.2025. But, in compliance of aforesaid show cause notice neither any reply from the owner/builder has been received in the department nor the owner/builder had attended the hearing without any intimation. Therefore, the hearing proceeding was closed and a demolition order under section 343 of the DMC Act was passed on dt. 28.04.2025. Copy of the demolition order dated 28.04.2025 is annexed herewith as **Annexure- 'F'**.

15. That apart from action under section 343 & 344 of the DMC Act, action under section 345-A of the DMC Act was also initiated against the said property and a sealing show cause notice u/s 345-A of DMC Act, was also issued vide no. EE(B)-I/WZ/SR/2025/20 dated 11.04.2025. Since, no reply to the said show cause notice was received in the department, therefore, sealing order u/s 345-A of the DMC Act was passed against the said property on 25.04.2025. Copy of the sealing show cause notice dated 11.04.2025 is annexed herewith as **Annexure-'G'** and copy of the sealing order dated 25.04.2025 is annexed herewith as **Annexure-'H'**.



16. That in order to execute the aforesaid sealing order dated 25.04.2025, a sealing action program was fixed by the department for 30.04.2025 and the main entrance door at ground floor of the property was sealed at two points. Now, further action shall be taken by the department as per the provisions of DMC Act and in accordance with law.”

4. None appears on behalf of the petitioner.
5. There was no appearance on behalf of the petitioner on the last date of hearing as well, i.e., on 19.08.2025.
6. In view of the above, the present petition is dismissed in default for non-prosecution and disposed of accordingly.
7. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

DECEMBER 05, 2025/sn/sg