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

+ **CONT.CAS(C) 363/2025**

AMAN SINGH

.....Petitioner

Through: Mr. Vivek Kumar Tandon, Mr.
S.S. Dalal and Ms. Alka Singh,
Adv.

versus

SH BADAL KUMAR DEPUTY COMMISSIONER

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Mr. Umang Tyagi, ASC with
Mr. Zuber Ali, Adv.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

% **10.03.2025**

CM APPL. 14115/2025 – EXMP.

1. Allowed, subject to all just exceptions.
2. Application is disposed of.

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3. The petitioner is seeking initiation of contempt proceedings against the respondent for the wilful defiance of the directions of this Court dated 08.10.2024 passed in W.P.(C) 10572/2024.
4. Learned counsel for the respondent/MCD is present on advance notice.
5. The main grievance of the petitioner is with regard to the unauthorized construction that is alleged to have been carried out by the occupier of the adjoining premises.
6. This Court *vide* the aforesaid order, directed the respondent/MCD to take action in accordance with the law within eight weeks from the passing of the order.



7. Mr. Umang Tyagi, learned Standing Counsel appearing for the respondent/MCD submits that a Show Cause Notice [hereinafter referred as “SCN”] dated 27.09.2024 was issued to the occupier/builder and after hearing the parties concerned on 09.10.2024, a speaking order has been passed dated 21.10.2024.

8. It is submitted by Mr. Tyagi that the property in question cannot be demolished since it is a protected property within the scope and ambit of the National Capital Territory of Delhi Laws (Special Provisions) Second (Amendment) Act.

9. A copy of the speaking order dated 21.10.2024 is handed over to the Court and the same be digitized. A copy of the order has been supplied to learned counsel for the petitioner.

10. At this stage, learned counsel for the petitioner requests permission to withdraw the present petition with liberty to seek appropriate remedy in accordance with the law.

11. Accordingly, the present contempt petition is dismissed as withdrawn without prejudice. Pending applications, if any, are disposed of.

DHARMESH SHARMA, J.

MARCH 10, 2025/gunn/ss