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

+ **CONT.CAS(C) 459/2024**

PANDIT MADHUSUDHAN PUROHIT SHASTRI.....Petitioner

Through: Mr. Ankit Jain, Senior Advocate with
Mr. Abhay Pratap Singh, Advocate.

versus

GYANESH BHARTI & ORS.Respondents

Through: Ms. Puja S. Kalra, SC for MCD with
Mr. Virendra Singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

23.09.2025

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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 following prayer:-

“i. Initiate Contempt Proceedings against the Respondent/Contemnor for willful defiance of the order dated 18.05.2023 in Writ Petition (Civil) 690/2023 of this Hon'ble Court;
ii. pass any other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case;”

3. It is pointed out that *vide* order dated 18.05.2023 in W.P.(C) 690/2023, this Court passed the following directions:-

“5. Considering the aforesaid submission, the present petition is disposed of with a direction that respondent No.1/MCD shall take needful action against the subject property preferably within a period of four months from today.

6. The concerned A.E. (Building), MCD shall ensure that the action is taken in entirety after duly serving the owner/occupier with advance notice.”



4. Learned Senior Counsel appearing on behalf of the petitioner submits that the demolition order was passed without giving prior notice to the petitioner. However, the aforesaid contention is refuted by the learned counsel for MCD and a reply has been filed to submit that various opportunities were given to the petitioner before the demolition action had taken place.
5. Learned counsel appearing on behalf of the petitioner further points out that the subject property is also a subject matter of an appeal pending before the Presiding Officer, Appellate Tribunal: MCD, whereby vide order dated 29.04.2024, the learned Presiding Officer restrained the MCD from taking any coercive action qua the subject property in pursuance of the demolition order dated 11.08.2021.
6. In view of the above, the present petition is disposed of with the direction that subject to the outcome of the proceedings before the Appellate Tribunal: MCD, if any action has to be taken, appropriate notice will be given to the petitioner.
7. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

SEPTEMBER 23, 2025/sn/sg