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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CONT.CAS(C) 803/2025, CM APPL. 30685/2025 & CM APPL.
72299/2025

RAKESH TOMAR & ANR.Petitioners

Through: Appearance not given.
Petitioner in-person.

versus

SRI SUDHIR KUMAR IAS DIRECTOR VIGILANCE NCT DELHI
.....Respondent

Through: Mr. Tushar Sannu, Ms. Aqsa, Advs.
for GNCTD with Mr. Biju Raj, DD,
Vigilance.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER
18.11.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Sections 2(b) of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India, 1950 read with Section 151 of the CPC seeks the following prayers: -

“The Petitioners filed Contempt petition Civil under section 2(b) contempt of court Act, 1971 read with Article 215 of constitution of India and read with section 151 CPC praying for order to appoint surveyor and/or Court Commission on costs borne by the petitioners directing the advocate commissioner to visit the subject property and structure Plot No A,B,C and D within boundary walls near T-12, Banberi Jama Masjid Mehrauli New Delhi and Plot No E and F open land within boundary walls near T-90 ward -6, Islam colony, Mehrauli, New Delhi under surveillance of the Video camera used by the petitioners under police protection to measure and ascertain position of the petitioners to verify order dated 12.09 .2024 Annexure E and report dated 15.12.2019 in WP(Civil) No.



11536 of 2019 Annexure - P-9 in order dated 01.05.2024 in Cont Case (C) No. 700 of 2024 and pass order :

a) to measure to ascertain position of illegal and unauthorized buildings demolition file No. 350 /Bld-II/UC/SZ//2015 dated 13.07.2015 Annexure P-10 now **Annexure L-1** in Plot No C and D near T-12, Banberi Jama Masjid Mehrauli, New Delhi within boundary walls under surveillance of the Camera and CCTV in presence of the petitioners and their agents under police protection and demolition file No. 326/B-II/UC/LZ/2012 dated 23.11.2012 Annexure P-11 now **Annexure L-2** dayaram Apartment a part of Plot No F near T-90 ward No-6,islam colony, Mehrauli, new Delhi

b) to measure the open land within boundary walls belonging to the petitioners the Plot No A near T-12, Banberi Jama Masid Mehrauli New Delhi constructed by the petitioners fraudulently shown fake photographs of unauthorized buildings more than 50 Annexure G colly vide forged document demolition file No. 350 /UC/B-II/SZ/15 dated 22.06.2015 Annexure -H now **Annexure -M.**

c) to measure the open land within boundary walls belonging to the petitioners to measure the Plot No E and F within boundary walls shown fake unauthorized buildings Annexure A colly and demolition file No 326//UC/B-II/SZ/12 dated 25.10.2012 Annexure B issued by MCD South Delhi falsely reported on 15.12.2020 subject matter in order dated 18.11.2019 in WP(Civil) No. 11536 of2019 Annexure P-9 .**Annexure M-1.**

d) To measure the Plot no A,B,C,D, near T-12, Banberi Jama masjid Mehrauli , New Delhi and Plot No- E and F near T-90 ward No-6,islam colony, Mehrauli ,new Delhi **Annexure M-2** dishonestly and intentionally shown vide **Annexure N** Colly falsely reported on 15.12.2020 Annexure P-9 which was reported on 25.01.2018 Annexure P _41 now Annexure I-7 by the Deputy Director DDA Hort.Division -4,South Delhi as "the old Khasra No. 1608 to 1672 mehrauli new Delhi related to the Deputy Director DDA LM South Delhi who reported on 02.02.2018 Annexure P 38 now I-4 in reply to the Application Diary No. 3576 dated 30.12.2017 Annexure -I filed application U/S 76 , Evidence Act, 1872 for certified copy of relevant documents of the subject property annexure P-29 pertaining to old Khasra No. 1608 to 1672



mehrauli, new Delh but deliberately ignored to supply certified copies of the relevant documents.

(e) To direct the competent authorities for taking cognizance of complaint dated 22.09.2019 Annexure P-26 now Annexure G and complaint dated 22.12.2022 Annexure P-21 now Annexure E-3 dishonestly and intentionally disobeyed the direction of law with intent to save the named corrupt public servants and preparing forged documents by false and fabricated reports by corruptly by willful excess of power to save themselves from legal punishment and committing forged intenting that the forged documents shall be used for the pupose of cheating the petitioners and Supreme court issued direction that the law should not aid those who disregard it ,as allowing such violation would foster a culture of impunity . If the laws were to protect those who endeavor to disregard it , the same would undermine the deterrent effect of laws , which is the cornerstones of a just and orderly society. The supreme court asserted that illegal constructions will not be tolerated .

(f) Pass order to initiate contempt proceeding for willfully and deliberately disobeying the order dated 01.05.2024 in Cont.Cas© No. 700 of 2024 of Delhi High Court deliberately ignoring disposal of representation 15.05.2024 within six weeks and further short representation dated O 1.01.2025 Annexure B, B-1,B-2, B-3 , B-4 , B-5 and B-6 to the Respondent//Contemnor deliberately ignored knowing that contempt proceeding cannot purged until the High Court order is executed imposed specially upon the authority obligation and liability for disposal of the representation dated 15.05.2024 within six weeks but the respondent/contemnor for collusive behavior for perfunctory action merely as a routine duty without interests care feeling and the petitioners are impatient with the respondent/contemnor' lackadaisical handling of High Court order .”

3. As per the records, this is the third contempt petition filed at the instance of the petitioner, the previous contempt petition, CONT.CAS(C) 700/2024, was disposed of *vide* order dated 01.05.2024 by learned Coordinate Bench of this Court by giving detailed reference to the earlier writ petition,



W.P.(C) 170/2020, contempt petition, CONT.CAS(C) 1433/2023, filed on behalf of the petitioner as well as the orders, status report(s) and action taken report filed therein.

4. Learned Coordinate Bench, while noting the details of the aforesaid proceedings, passed the following order in CONT.CAS(C) 700/2024 on 01.05.2024: -

“15. Reading of the aforesaid order dated 14th February, 2024 passed in *W.P. (CRL) 1626/2022*, shows that the court has taken note of the fact that the complaints filed by the petitioner have been dealt with time and again and requisite orders with respect thereto have been passed.

16. In the aforesaid order dated 14th February, 2024, a Coordinate Bench of this Court has categorically held that necessary action has been taken by concerned department of the State, including the DDA. Thus, it is clear that the grievance of the petitioner stands redressed.

17. In case the petitioner has any further grievance with respect to the CD or *Annexure P-51*, as reproduced hereinabove, not having been taken into account by the respondent, the petitioner is at liberty to approach the respondent with a fresh representation by attaching all the requisite documents, including the CD which has been brought before this Court.

18. At this stage, learned counsel for the petitioner submits that he shall file the representation with the respondent within a period of one week from today. Liberty is granted to the petitioner accordingly.

19. The petitioner shall submit fresh representation along with requisite documents with the respondent, within a period of one week. Upon receipt of the representation from the petitioner, the respondent shall deal with the complaint of the petitioner, by taking into account the fresh documents, including the CD submitted by the petitioner. The representation of the petitioner shall be considered and disposed of by the respondent expeditiously,



preferably within a period of six weeks after receipt of the representation from the petitioner.

20. It is further directed that the complaint of the petitioner shall be considered and disposed of by the respondent by way of a speaking and reasoned order, which shall be communicated to the petitioner at the address which is given in the representation.”

5. Learned counsel appearing on behalf of the respondent has handed up in Court today an additional affidavit dated 17.11.2025 filed on behalf of the Directorate of Vigilance (DOV), GNCTD/respondent authored by Biju Raj E., Dy. Director (Vigilance), Dte. Of Vigilance and Anti Corruption, GNCTD and the same is taken on record. The said affidavit gives the details in respect of the following: -

- A. Enquiry conducted by Addl. Dy. Commissioner of Police (South), New Delhi.
- B. Speaking & Reasoned Order dated 30.10.2025 passed by Revenue District (South) Department.
- C. Speaking & Reasoned Order dated 04.11.2025 passed by Delhi Development Authority/DDA.
- D. Speaking & Reasoned Order dated 12.09.2024 passed by Municipal Corporation of Delhi/MCD.

6. The said affidavit is accompanied by a speaking order dated 30.10.2025 passed in pursuance of the order dated 01.05.2024 in the aforesaid contempt petition, CONT.CAS(C) 700/2024. A perusal of the aforesaid order would demonstrate that the same has also been passed by taking into consideration the CDs relied upon by the petitioner as referred to in the order for which compliance has been sought in the present petition. The conclusion with respect to the said CDs as well as the representation in Speaking & Reasoned



Order dated 30.10.2025 passed by Revenue District (South) Department is as under: -

“Conclusion

The reports submitted by the concerned offices of the Revenue District South confirms that No Deed/ document has been registered by the Sub-Registrar V-A/ Hauz Khas vide No. 3724 dated 10.04.2018 and the same document was rejected for registration. Further, status of the Khasra numbers 1608 to 1672 (New Khasra No. 1056 to 1168), which has already been submitted before the Hon'ble which remains same. The viewing of (02) CDs attached with the representation, revealed nothing concrete for solicitation of any action in the matter at the level of Revenue District South.”

7. In view thereof, no further directions are called for.
8. The present petition is disposed of with liberty to the petitioner to challenge the aforesaid order in accordance with law before the Court of competent jurisdiction.
9. Pending applications, if any, also stand disposed of accordingly.

AMIT SHARMA, J

NOVEMBER 18, 2025/kr/ns