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

+ CONT.CAS(C) 871/2025

JAGAT SINGH

.....Petitioner

Through: Mr. Vinod Kumar and Mr. Shashank
Sharma, Advocates.

versus

MR DHARMENDRA & ORS.

.....Respondents

Through: Mr. Kapil Dutta, Advocate.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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10.10.2025

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

“(a) Initiate contempt of court proceedings against the Respondents/Contemnors for their acts of willful disobedience of the order dated 28.08.2020 passed by this Hon'ble Court in WP (C) 578412020 and punish them accordingly in the interest of justice;
(b) issue any other appropriate order and/or direction in the like nature which this Hon'ble Court may deem fit and proper in the fact and circumstances of the present case in favour of the petitioner and against the respondents/contemnors in the interest of justice;”

3. Learned counsel for the respondent/ MCD submits that the status report has been filed, however, the same is not on record. A copy of the same has been handed up in Court today and is taken on record, wherein, it has been recorded as under:

“9. That so as to ascertain the status of the subject property i.e. bearing No. D-37, Indra Enclave, Neb Sarai, New Delhi - 110068, the same has been got inspected through area field staff of Building Department -II of South Zone - MCD and also referred to the record maintained and available with the department.



On inspection and referring to the record, the area field staff of Building Department -II of South Zone - MCD has identified the subject property as property i.e. H.No. D-32, Opp. H.No. D-36, Indira Enclave, New Delhi. The status of actions as initiated / taken by the department are detailed herein below:

- i) As per record, on dated 10/09/2020, the department has also taken / carried out one demolition action on noticing the unauthorized construction at ongoing stage, in the shape of 02 rooms. Upon taking the said action, a watch and ward letter has also been sent to concerned, SHO PS Neb Sarai, New Delhi with the request to direct the area patrolling staff to keep strict watch and ward over the subject property so that the demolished portion may not be restored / repaired.
- ii) Further, it has also been noticed that this property is already stands booked for unauthorized construction also vide U/c File No. 334/UC/B-II/SZ/2025 dated 20/05/2025 in the shape of raising of walls, columns and shuttering at Stilt floor and also further booked vide U/e file No. 428/UC/B-II/SZ/2025 dated 09/07/2025 in the shape Stilt and Ground floor (in continuation of earlier booking No. 334/UC/B-II/SZ/2025 dated 20/05/2025), for taking the necessary demolition action u/s 343/344 of DMC Act - 1957. Upon following due process of law, the necessary demolition orders have also been passed by the Competent Authority i.e. AE (B)-II of South Zone - MCD vide dated 09/06/2025 and 01/08/2025 respectively. Copy of demolition orders are annexed herewith as **Annexure -A (Colly)**.
- iii) Furthermore, letters dated 30/05/2025 and 29/07/2025 u/s 344(2) of the DMC Act - 1957 have also been sent to SHO, PS. Neb Sarai, New Delhi with the request that the said unauthorized construction be stopped immediately and workmen present at site / property in question be removed and construction material including the tools, machinery, etc. be seized. Copy of letters as sent in this regard are also annexed as **Annexure - B (Colly)**.
- iv) Besides this, letters dated 30/05/2025 and 29/07/2025 for disconnection of Electricity and Water supply from the aforesaid property have also sent to the concerned authorities. Copy of the said letters are annexed herewith as **Annexure - C (Colly)**.
- v) Moreover, letters dated 30/05/2025 and 29/07/2025 have also been sent to the Sub-Registrar with the request not to register the property under Indian Registration Act, 1908. Copy of the said letters are also annexed herewith as **Annexure - D (Colly)**.
- vi) In addition to above, Prosecution action under section 466-A of DMC Act, 1957 has also been initiated and a complaint bearing



No. D- 2297/Prosecution /DC/EE(B)-II/SZ/2025 dated 22/09/2025 has also been sent to DCP, South District, Hauz Khas New Delhi. Copy of the said complaint is also annexed herewith as **Annexure - E**.

vii) Apart from this, sealing proceedings u/s 345-A of DMC Act - 1957 has also been initiated in respect of the subject property.

viii) Moreover, it is also pertinent to mention here that pursuant to aforesaid demolition orders already passed in respect of the subject property, the Building Department -II of South Zone - MCD has taken / carried out the necessary demolition action as per details given herein below:-

S.No.	Date of Action	Action Taken
1.	09/07/2025	Upon availability of police force, 01 big RCC panel has been demolished at the Ground Floor and reinforcement bars has also been cut down with the help of gas cutter.
2.	24/07/2025	Upon availability of police force, 01 RCC panel at roof Ground floor demolished and steel reinforcement bars cut down with the help of gas cutter.

The photographs taken during the aforesaid demolition are annexed herewith as **Annexure-F (Colly).**”

4. In view of the above, the present petition is disposed of with the directions that the scheduled action proposed for 17.10.2025 shall be executed in accordance with law and if the MCD seeks assistance of the police force, the concerned SHO shall provide the same in accordance with law.
5. In case of non-compliance, the petitioner is at liberty to revive the present petition.
6. Pending application(s), if any, also stands disposed of.

AMIT SHARMA, J

OCTOBER 10, 2025/bsr/sg