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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% **Date of Decision: 13th January, 2025**
+ **CONT.CAS(C) 1137/2024 & CM APPL. 73272/2024**
SHUBHAM JAINPetitioner

Through: Ms. Indira Goswami with Ms. Nirmala
and Ms. Ambika, Advocates.

versus

POONAM ARORA & ORS.Respondent
Through: Mr. Abhinav Singh with Mr. Praveen
Kumar Kaushik, Advocates.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. The present contempt petition has been filed by the petitioner contending that there is wilful disobedience of the specific directions contained in order dated 24.05.2024 passed by Coordinate Bench of this Court in W.P.(C) No. 7507/2024.

2. While disposing of the above said petition, the following directions were given in para 3 of the above said order:-

“3. In the fitness of things, Respondents are directed to take a decision on the representation of the Petitioner within six weeks from today by either releasing the sale deed or by giving their objections as to why the sale deed cannot be given to the Petitioner.”

3. It is, thus, quite clear that the respondents were, merely, directed to take decision on the representation of the petitioner and if the respondents were of the view that the sale deed could not have been released, they were also obligated to give the reasons thereof.

4. Learned counsel for petitioner submits that though the speaking order has been passed on 27.12.2024 by the respondent whereby they have refused



to release the sale deed in question but according to her the reasons mentioned therein are totally erroneous and are based on false assertions.

5. It is also submitted that when the present contempt petition was taken up by this Court on 25.07.2024, it was directed, as an interim measure, the sale deed be released to petitioner, failing which the concerned official would be liable to pay exemplary costs.

6. Undoubtedly, there is above said observation in the order dated 25.07.2024 but any Court, while exercising contempt jurisdiction, has to simply comprehend the directions given in the substantive petition.

7. Such directions are already extracted above and the respondents were only directed to take a decision on the representation of the petitioner and in case they were of the view that the sale deed could not have been released, they were required to specify the reasons for the same.

8. Since the representation has been decided by way of a speaking order, *albeit* belatedly, nothing further survives in the present petition. The petition stands disposed of in the aforesaid terms.

9. Needless to say, the petitioner is always at liberty to challenge the above said speaking order by filing a substantive petition, if so advised.

(MANOJ JAIN)
JUDGE

JANUARY 13, 2025/sw