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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 1246/2022 & CM APPL. 38824/2023 CM APPL. 38825/2023**
MOHD. KASIMPetitioner

Through: Mr. Venugopal Abhay, Advocate.
versus

THE NAINITAL BANK LTD & ANR.Respondents
Through: Ms. Manisha Agrawal, Advocate for R-1.
Mr. Javed Ahmad and Ms. Aakriti Aditya, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE CHANDRA DHARI SINGH
HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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27.03.2025

1. The instant petition under Sections 11 and 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India has been preferred by the petitioner seeking the following reliefs :

“(i) Pass necessary orders and directions thereby taking an appropriate action against the respondent for committing contempt of order dated 21.12.2018 & 15.10.2019 in Writ Petition (C) NO. 13954 of 2018;

(ii) Restrain the respondent in further dealing with the property till disposal of the present contempt petition and writ;

(iii) Pass any other order or directions as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

2. It is submitted that there is no wilful disobedience of the orders dated 21.12.2018 and 15.10.2019 passed by this Court in W.P.(C) No. 13954/2018 and therefore, no ground is made out in the instant case.



3. It is submitted on behalf of respondent No.2 that he has bought the disputed property on 07.07.2017 *via* auction and the sale certificate was also issued in favour of respondent No.2 on 25.07.2017.
4. Furthermore, it is submitted that respondent No.2 has not created any third-party rights after order dated 21.12.2018 was passed.
5. Learned counsel appearing on behalf of respondent No.1 bank does not dispute the above submissions.
6. Taking into consideration the submissions made by learned counsel appearing for respondent No.2 that the property was bought as well as the sale certificate was also issued well before the order was passed by the court and that no third-party rights have been created after 21.12.2018, it is evident that no ground is made-out to sustain the present contempt petition.
7. The petition is accordingly dismissed.
8. Pending applications, if any, also stand disposed-of.

CHANDRA DHARI SINGH, J

ANUP JAIRAM BHAMBHANI, J

MARCH 27, 2025/ak/kj

Click here to check corrigendum, if any