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

+ CONT.CAS(C) 1301/2022& CM APPL. 51312/2022,
CM APPL. 39031/2025

SUBHASH CHANDER SHARMAPetitioner

Through: Mr. A.K. Mishra, Advocate (through
Vc).

versus

MR. DANISH ASHRAF DC & ORS.Respondents

Through: Mr. Sriharsha Peechara, SC with Mr.
Aksat Kulshreshtha, Mr. Soumit
Ganguli and Mr. Akash Sharma,
Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

24.11.2025

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

“(a) initiate a contempt proceedings against the respondents for willful and deliberate disobedience of order dated 18.07.2022 passed by this Hon'ble Court in Writ Petition (C) No.10790 of 2022;

(b) direct the respondents to dispose off the representation as per the order dated 18.07.2022 passed by this Hon'ble Court in Writ Petition (C) No.10790 of 2022;

(c) pass any other or further order as this Hon 'ble Court may deem fit and proper in the interest of justice.”

3. Vide order dated 18.07.2022 in W.P.(C) 10790/2022, the learned Single Judge of this Court passed the following directions:

“3. Mr. Sri Harsha Peechara, learned Additional Standing Counsel for respondent No. 1 accepts notice and has handed over a



copy of the Status Report, which is taken on record. He, on advance instructions, submits that initially the unauthorized construction in the shape of stilt, ground and first floors of the subject property was booked on 21.03.2022 and 06.04.2022. He also submits that thereafter, unauthorized construction in the shape of second and third floors of the subject property was booked on 17.05.2022, whereafter a demolition order was also passed on 02.06.2022. He, on instructions, further submits that demolition action is now planned for 03.08.2022. The statement made on behalf of the answering respondent is taken on record and it is made bound by the same.

4. Mr. Arun Panwar, learned counsel for respondent No. 2/SHO, P.S. Sunlight Colony accepts notice and submits that as and when police assistance is sought by respondent No. 1, the same would be provided.

5. Respondents No. 1 and 2 shall ensure that requisite demolition action is taken expeditiously and no further unauthorized construction is carried out at the subject property.”

4. During the pendency of the present petition, various status reports have been filed on behalf of the MCD. In status report dated 15.11.2024, it is recorded as under:

“2. That, the instant status report is being filed by the answering respondent/ MCD, in furtherance to the earlier reports/ Affidavits already filed in the instant matter.

3. That, answering respondent in the earlier filed status report/ affidavit brought to the notice of this Hon’ble Court that the Owner/ Builder of the property has removed the non-compoundable deviations completely and existing construction of the property is well within the ambit of Master Plan of Delhi-2021.

4. That, it is most respectfully submitted that the Owner/ Builder of the property has got the existing construction of the property regularized under Self Assessment Scheme vide file No. 01/SRS/B/CZ/2024 dated 10.09.2024 and has deposited an amount of Rs. 3,92,005/- towards compounding fee and cess charges vide G-8 receipt No. DIK00498 dated 10.09.2024. Copy of G-8 receipt dated 10.09.2024 is annexed herewith as **Annexure: A**”



5. Subsequently, the petitioner has placed on record certain photographs alleging further construction is taking place on the subject property. In pursuance of the same, status report dated 18.07.2025 was filed, wherein it has been recorded as under: -

“3. That, answering respondent in the earlier filed status report/ affidavit brought to the notice of this Hon’ble Court that the Owner/ Builder of the property has removed the non-compoundable deviations completely and the Owner/ Builder of the property has got the existing construction of the property regularized under Self Assessment Scheme.

4. That, during the course of inspection on 17.07.2025, seals affixed at subject property were found tampered with, accordingly immediate action for re-sealing of the subject property was taken. During the action, entire property has been re-sealed at Main Gate entrance at 02 points and 01 point at rear side. Photographs showing the sealing action, as taken by the department are annexed herewith as **Annexure: A**

5. That, pursuant to sealing action taken on 17.07.2025, a letter bearing No. D/92/AE(B)-V/CNZ/2025. dated 17.07.2025 has been sent to the SHO-Sunlight Colony with the request to direct the concerned staff to keep strict vigil over the property, so that Owner/ Builder may not be able to tamper with the seals affixed by the department. Copy of watch & ward letter dated 17.07.2025 is annexed herewith as Annexure- B

6. That, the Owner/ Builder of the property has filed an application for permanent de-sealing of the subject property and the same is under consideration of the department.”

6. In view of the aforesaid, no further directions are called for.

7. The present petition is disposed of with direction that the respondents shall take appropriate action in accordance with law in case of any further unauthorised construction with liberty to the petitioner to revive the present petition in case of non-compliance.

AMIT SHARMA, J

NOVEMBER 24, 2025/bsr/ah