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

+ **CONT.CAS(C) 1225/2025 & CM APPL. 49719/2025 (exemption)**

SH. SANJAY VERMAPetitioner

Through: Mr. Sunil Chaudhary, Advocate.
versus

**SH ASHWANI KUMAR THE COMMISSIONER OF
MUNICIPAL CORPORATION OF DELHI & ORS.....Respondents**

Through: Mr. Abhinav Singh, ASC for MCD
with Mr. Rishabh Mittal, Advocate.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

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11.09.2025

1. This hearing has been done through hybrid mode.
2. The present petition under Sections 10/12 of the contempt of Courts Act seeks following prayers:-

“a) Initiate contempt of court proceedings against the contemnors I concerned official/s for non-compliance and for gross violation of the orders dated 21.10.2016, passed by this Hon'ble court in Writ Petition (C) No. 9771 of 2016 titled Sanjay Verma and Anr Vs East Delhi Municipal corporation and Anr in its letter and spirit.

b) Issue directions to the contemnors to comply the orders dated 21.10.2016. passed by this Hon'ble court in Writ Petition (C) No. 9771 of 2016 titled Sanjay Verma and Anr Vs East Delhi Municipal corporation and Anr in its letter and spirit by taking necessary action against the contemnor no 2 and 3 under the municipal law.

c) Such further or other orders as may be deem fit and proper in the present facts and circumstances of the case.”

3. Learned counsel appearing on behalf of the petitioner submits that vide order dated 21.10.2016 in W.P.(C) 9771/2016 the following order was passed:-



“Petitioner is aggrieved by the illegal and unauthorized construction which is being permitted at property no.A-1238, G.D.Colony, Mayur Vihar, Phase-III, Delhi.

On advance notice, learned counsel for respondent nos. 1 and 2 have put in appearance. Learned counsel appearing for respondent no.1 under instructions states that the property has been booked. Work stop notice has been given and all actions in accordance with law will be followed by a demolition order qua the alleged illegal construction.

Learned counsel appearing for respondent no.2/police under instructions submits that on 01.10.2016 action has been taken against the aforementioned illegal construction and the work material has been seized and the illegal construction material has also been removed from the site. All actions in accordance with law shall be taken by both statutory bodies i.e. by respondent nos. 1 and 2 and that shall be in true letter and spirit. A sealing action, if permitted by law, shall be ensured by respondent no.1 .

No further orders are called for in this petition.

Petition disposed of in the above terms.

Order dasti.”

4. Learned counsel appearing on behalf of the petitioner submits that thereafter, in the month of July 2025, it was noticed that the seal had been broken and construction had been carried out on the property. Certain photographs in this regard have also been placed on record.
5. Learned counsel appearing on behalf of respondent no. 1 submits that the present petition is time barred.
6. This court has perused the records.
7. The grievance of non-compliance raised in the present petition pertains to the order dated 21.10.2016. The photographs placed on record show that the alleged unauthorized construction, if any, is not recent and has been going on for some time, for which no explanation has been given by the petitioner for not approaching the Court despite the passage of nine years since the order dated 21.10.2016 was passed.
8. In view of the above, the present petition is dismissed on the ground of



limitation and disposed of accordingly.

9. Pending application(s), if any, also stand disposed of.

AMIT SHARMA, J

SEPTEMBER 11, 2025/sn/sp