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

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Date of Decision: 12th February, 2025

+ CONT.CAS(C) 1456/2024
DEEPALI AGGARWAL

.....Petitioner

Through: Mr. Raghavendra Mohan Bajaj,
Advocate.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.

.....Respondent

Through: Mr. Tushar Sannu with Mr. Shivam,
Advocates for DDA.
Mr. Ashutosh Gupta, ASC with Mr.
Arman Monga, Advocate.
Mr. Avadh Bihari Kaushik, Advocates
for R- 4 to 9.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Learned counsel for the petitioner submits that adjournment may be given to file rejoinder.
2. However, learned counsel for respondent No.1/MCD submits that pursuant to the directions contained in the last order, they have already taken a decision with respect to projection of balconies and have issued demolition order(s).
3. Such orders were passed on 09.01.2025 and 10.01.2025 with respect to the flats in question.
4. Mr. Kaushik, learned counsel for the respondent Nos. 4 to 9 submits



that against the above said fresh demolition orders they have already lodged appeals which are pending consideration before the learned Appellate Tribunal, MCD. He submits that earlier also, the demolition orders were issued by MCD against them which were challenged by filing appeal before the learned Appellate Tribunal, MCD and during the pendency of those appeals, the petitioner herein had moved an application seeking intervention and such application was allowed by the learned Appellate Tribunal.

5. Mr. Kaushik, learned counsel for the respondent Nos. 4 to 9 submits that similar kind of application can be moved by them, if they so desire, with respect to the fresh appeals filed by them.

6. He also undertakes to supply the requisite details of such appeals to the petitioner, during the course of the day.

7. In view of the above, since the concerned occupiers/owners are pursuing their legal remedies and their appeals are pending consideration before Tribunal, it will not be appropriate to adjudicate the present contempt petition.

8. Accordingly, as per the request made by learned counsel for the petitioner, the present contempt petition is permitted to be withdrawn with liberty to file the contempt petition afresh in future, in case, needs so arises or as per the outcome of the above said appeals.

9. Petition is disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

FEBRUARY 12, 2025/ss