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

+ **CONT.CAS(C) 1317/2025**

TEHSEEM

.....Petitioner

Through: Mr. Monish Ali Khan, Mr. Irfan
Firdous, Adv.

versus

ASHWANI KUMAR & ORS.

.....Respondents

Through: Mr. Sahaj Garg, SPC for UOI.
Mr. Abhinav Singh, Adv. for GNCTD.
Ms. Shobhana Takiar, Standing
Counsel for DDA with Mr. Kuljeet
Singh, Mr. Shivam Takiar and Mr.
Prateek Dhir, Adv.
Mr. Kapil Dutta, Adv. for MCD.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **10.09.2025**

1. This hearing has been done through hybrid mode.

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2. The present contempt petition under Article 215 of the Constitution of India read with Section 11 and 12 of the Contempt of Courts Act, 1971 seeks following prayers:-

- “a) Issue directions to summon the Respondent/Contemnor No.1 to appear in person and punish them by initiating proceedings under Section 11 and 12 of the Contempt of the Courts Act, 1971, for wilful defiance/disobedience of the order dated 06.05.2025 passed by this Hon’ble Court in W.P.(C) 2722/2024;
- b) Direct the contemnors to forthwith undertake and complete the demolition of the unauthorized construction at the subject premises and submit a detailed compliance report before this Hon’ble Court within a time-bound schedule
- c) Pass any other order(s) or direction(s) as this Hon’ble Court may deem



fit and proper in the interest of justice.”

3. *Vide* Order dated 06.05.2025, in W.P.(C) 2722/2024, it was observed and directed as under:-

“5. Per contra, learned counsel appearing for the Municipal Corporation of Delhi (“MCD”), submits that, with respect to the property in question, a statutory appeal before the Appellate Tribunal, MCD (“ATMCD”), has been filed, which is pending. He further submits that since there was no stay granted by the learned ATMCD, sealing action was taken by the MCD on 25th October, 2024, and that the property in question is lying sealed since then. He further submits that the demolition action is also fixed in the property for 14th May, 2025.

6. Attention of this Court has also been drawn to the order dated 23rd February, 2024, wherein, the submissions of the owner/occupier of the property in question, has been recorded stating that the petitioner is a habitual complainant. Further, no formal notice was also issued in the present matter.

7. Considering the submissions made before this Court, this Court is satisfied that the MCD has already initiated action against the property in question. This Court takes note of the submission made by the learned counsel for the MCD that the property in question, is lying sealed, since 25th October, 2024. Accordingly, it is directed that the MCD shall take the requisite action against the unauthorized construction in accordance with law, subject to any orders that may be passed by the learned ATMCD.”

4. The learned counsel appearing on behalf of the MCD submits that further action in terms of the aforesaid order have been taken on 03.09.2025 and the entire property is lying sealed and unauthorized construction have been substantially demolished.

5. In view of the above, no further directions are required, the petition stands disposed of.

AMIT SHARMA, J

SEPTEMBER 10, 2025/sds/dj