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

+ **CONT.CAS(C) 1656/2024**

RAMESH CHAND

.....Petitioner

Through: Mr. Manu Sishodia, Adv.

versus

ASHWANI KUMAR & ANR.

.....Respondents

Through: Mr. Pritish Sabharwal, Adv. for
R-1.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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07.03.2025

1. The petitioner is seeking initiation of the contempt proceedings against the respondents for violating the order dated 19.02.2024 passed in W.P.(C) No. 2429/2024.

2. Learned counsel for the respondent No. 1/MCD is present on advance notice. No one is present for the respondent No. 2, who is alleged to be the occupier of the premises in which the unauthorized construction has been done.

3. This Court *vide* order dated 19.02.2024 directed the respondent No. 1/MCD to take appropriate action with respect to any unauthorized encroachment/construction at the property bearing Shop No. 160, 161 & 162, Junk Market at S.P. Mukherjee Market, Jhandewalan, Karol Bagh, New Delhi, 110005.

4. Learned counsel appearing for the respondent No. 1/MCD submits that much prior to the filing of the main writ petition, a demolition order had been passed dated 21.08.2019 and the matter was challenged by the respondent No. 2/occupiers before the Appellate Tribunal MCD, which *vide* order dated 27.11.2024 has



remanded the matter back to the quasi-judicial authority to re-consider the issues afresh after affording an opportunity of hearing to the occupiers and pass a speaking order within six months thereof.

5. In view of the aforesaid statement made by learned counsel for the respondent No.1/MCD, the present contempt petition is no longer sustainable.

6. The same is dismissed without prejudice to the rights and contentions of the parties. Pending applications, if any, are also disposed of.

DHARMESH SHARMA, J.

MARCH 7, 2025/gunn