



\$~78

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

+ CONT.CAS(C) 1681/2025 & CM APPL. 70172/2025(Exemption),
CM APPL.70173/2025(Exemption)

PARVEEN KUMARPetitioner

Through: Petitioner in person.

versus

LT. GEN MANOJ KATIYARRespondent

Through: Mr. Rakesh Kumar, SPC with Mr. Sunil, Adv. & Mr. Vipul, GP. For UOI.

Mr. Ankur Mishra, Adv. for Delhi Cantonment Board.

Major Anish Muralidhar from Army in person.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

11.11.2025

%

1. This hearing has been done through hybrid mode.
2. The present petition under Section 11 and 12 of the Contempt of Courts Act, 1971 seeks the following prayers:-

“(a) allow the present petition and initiate contempt proceedings against the respondent/contemnor in intentional disobedience of this Hon'ble Court order (dt. 20.05.2025 ANNEXURE-P-1)

(b) punish the respondent/contemnor U/S 12 of the Contempt of Court Act-1971;

(c) pass such further orders may deem fit and proper in the interest of justice

AND FOR THIS ACT OF KINDNESS THE PETITIONER AS DUTY BOUND SHALL EVER PRAY.

3. *Vide* order dated 21.04.2025, the learned Single Judge while disposing of the W.P.(C) 8347/2021 passed the following directions:-



“17. Accordingly, the following directions are issued:

- i. The petitioner shall file an appeal before the appropriate Authority in terms of Section 340 of the Cantonments Act, 2006, within a period of thirty days, from today.
- ii.. Upon the petitioner filing the appeal before the Appropriate Authority within a period of thirty days from today, the issue of limitation, shall not come in the way of the petitioner and the appeal of the petitioner herein, shall be decided by the Appellate Authority, on merits, in accordance with law.
- iii. The Appellate Authority is directed to consider and dispose of the appeal of the petitioner herein, expeditiously, preferably within a period of three months, from today.”

4. Subsequently, the petitioner preferred an LPA no. 340/2025, wherein the learned Division Bench of this Court *vide* order dated 20.05.2025 passed the following directions:-

“3. Accordingly, the instant LPA is dismissed as withdrawn with the liberty to the appellant to file the appeal before the appropriate appellate authority in terms of Section 340 of the Cantonments Act, 2006 within ten days from today.

4. As already directed by learned Single Judge in the order dated 21.04.2025, the appeal which may be filed by the appellant under this order shall be decided within a period of three months from the date the appeal is presented before the Appellate Authority. The learned Single Judge has already issued a direction that issue of limitation shall not come in the way of the appellant and his appeal shall be decided by the Appellate Authority on merits, in accordance with law. We reiterate such directions.”

5. Learned counsel for the respondent appearing on advance notice, on instructions from Major Anish Muralidhar, has handed up in Court today a communication dated 10.11.2025 from Headquarter, Western Command, Chandi Mandir, wherein it has been recorded as under:-

“3. Whereas, as per the contempt petition, the appellant filed an appeal dated 28 May 2025 to the respondent which was speed



posted by him on 29 May 2025 and received on 02 June 2025. That as per procedure the appeal was forwarded to Delhi Cantonment Board for analysing and forwarding the comments which were received on 30 July 2025.

4. That the Appellate Authority has the highest regard for the order passed by the Hon'ble High Court and in deference of the same took all steps to expeditiously comply the order by deciding the appeal filed by the appellant. That it is pertinent to mention that due to exigencies of military service, prevailing security situation in country, operational requirements including Operation SINDOOR, the Appellate Authority despite best efforts could not hear the appellant to decide the appeal filed by him. However, the Appellate Authority has fixed the date of 27 November 2025 for hearing the appellant on his appeal so that same is decided in a fair and transparent manner. It is highlighted that delay in deciding the appeal dated 28 May 2025 is neither intentional nor wilful or deliberate. It was due to pressing operational official commitments of the Appellate Authority due to which the appeal could not be decided as per time frame laid by Hon'ble High Court vide its order dated 20 May 2025.”

6. Learned counsel for the respondent submits that personal hearing would be given to the petitioner on 27.11.2025 and thereafter there will be no adjournment at the instance of the appellate authority.

7. In view of the above, the present petition is disposed of with liberty to the petitioner to revive the same in case the above said undertaking is not adhered to.

8. Pending application(s), if any, also stands disposed of.

AMIT SHARMA, J

NOVEMBER 11, 2025/nk/sg