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

+ **CONT.CAS(C) 1745/2025**

HARSH JAIN

.....Petitioner

Through: Mr. Deepak Somani and Mrs.
Chanchal Gupta, Advocates.

Versus

MUNICIPAL CORPORATION OF DELHI & ORS.

.....Respondents

Through: Mr. Anurag Ojha, SSC with Mr.
Dipak Raj Singh, Mr. Avinash Shukla
and Mr. Vipul Kumar, Advocates.
Mr. Vikas Chopra, SC for MCD with
Mr. Neeraj Kumar, Advocate.
Mr. Gautam Narayan, Sr Advocate
with Mr. Ayush Gupta, Advocate for
R-3.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

18.11.2025

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1. This hearing has been done through hybrid mode.

CM APPL. 72351/2025(exemption)

2. Allowed, subject to all just exceptions. The application is disposed of.

CONT.CAS(C) 1745/2025

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



“(a) Initiate proceedings for Civil Contempt under the provisions of the Contempt of Courts Act, 1971, against the Contemnors/Respondents for their willful and deliberate disobedience of the order dated 29.04.2025 passed by this Hon'ble Court in W.P.(C) No. 4607 of 2025;
(b) Punish the Contemnors/Respondents for committing contempt of this Hon'ble Court in accordance with the provisions of Section 12 of the Contempt of Courts Act, 1971;
(c) Direct the Contemnors/Respondents to forthwith cease all construction activities at the subject property and to demolish the construction raised in violation of the order dated 29.04.2025;
(d) Award the costs of this petition to the Petitioner; and
(e) Pass such other and further order or orders as this Hon'ble Court may deem fit and proper in the interest of justice.”

4. Learned counsel for respondent no. 3, on advance notice, draws attention of this Court to sanction letter dated 13.10.2025 whereby the MCD has granted sanction under Clause 336 of the Delhi Municipal Corporation Act, 1957. Attention has been further drawn to order dated 29.04.2025 wherein it has been recorded that the respondent herein had given a statement to the effect that sanction had been applied for and consequently, while disposing of the petition, the learned Single Judge had observed that MCD would ensure that no unauthorised construction take places except in accordance with law. In these circumstances, it is pointed out that the petition is misconceived.

5. In view thereof, learned counsel for the petitioner seeks leave to withdraw the present petition.

6. Leave granted.

7. The present petition is dismissed as withdrawn and disposed of accordingly.

8. Needless to say, all the rights and contentions of the parties are left



open.

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

AMIT SHARMA, J

NOVEMBER 18, 2025/bsr/ah