



\$~110

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 11/2025**
SH. GYANCHAND GAUTAMPetitioner

Through: Mr. R.R. Bag & Mr. Rajbeer,
Advocates along with
petitioner-in-person

versus

MUNCIPAL CORPORATION OF DELHI & ORS.Respondent

Through: Mr. Abhinav Sharma and Mahender
Shukla, Advocates for MCD/R-1
Ms. Sreeja Pal and Mr. Divyam
Nandrajog, Panel Counsel for
GNCTD/R-3
Mr. Sanjay Vashishtha with Ms.
Harshita Rai and Mr. Siddhartha
Goswami, Advocates for R-4/DDA

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

%

09.01.2025

1. Petitioner seeks initiation of contempt proceedings against respondents for willful disobedience of specific directions contained in order dated 02.05.2024 passed by the Co-ordinate Bench of this Court in W.P. (C) No. 6143/2024.

2. Petitioner had raised grievance regarding encroachment on public street by the occupiers of some other properties and the aforesaid writ petition was disposed on the basis of statement made by learned counsel for MCD.

Para-3 of said order reads as under: -

“3. Learned counsel for the respondent/MCD submits that the present petition itself shall be treated as a representation of the petitioner and a speaking order shall be passed thereon, after affording an opportunity of

CONT.CAS(C) 11/2025

1



hearing to the petitioner. If necessary, a hearing shall also be afforded to the person against whom the allegation of encroachment in public land is made and/or to the current owner/occupier of the property in question. If warranted, upon conclusion of aforesaid exercise, further action shall be taken by the respondent/MCD to remove the encroachment on public land in accordance with law.”

3. Admittedly, there is no timeframe as such for aforesaid decision and further exercise to be undertaken by the respondent-MCD.
4. According to petitioner, after disposal of the aforesaid petition, petitioner had sent representation and legal notice to the respondent but these were not even responded to.
5. Learned counsel for respondents appear on advance notice.
6. At the very outset, Mr. Mahender Shukla, learned counsel for respondent no. 1/MCD submits that the place, where the alleged encroachment has taken place, shall be inspected within one week from today and after affording hearing to the petitioner and to the other persons against whom there is allegation of encroachment, the representation of the petitioner shall be decided by way of a speaking order within further period of six weeks and appropriate action shall also be taken in accordance with law.
7. In view of aforesaid statement, learned counsel for petitioner, at the moment, does not press his present contempt petition. He, however, submits that in case nothing happens within the aforesaid timeframe given by MCD, he may be permitted to file the petition afresh.
8. Petition stands disposed of accordingly in aforesaid terms.
9. Liberty, as prayed, is granted.

MANOJ JAIN, J

JANUARY 9, 2025/dr

CONT.CAS(C) 11/2025

2