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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CONT.CAS(C) 864/2019, CM APPL. 7145/2022, CM APPL.
7147/2022, CM APPL. 12306/2022, CM APPL. 12308/2022, CM
APPL. 42034/2022, CM APPL. 24661/2023 & CM APPL. 24662/2023
SUDEEP KUMARPetitioner

Through: None.
versus

ASHOK KUMARRespondent
Through: Mr. Tushar Sannu, SC for MCD with
Ms. Shaoni Das, Adv.

CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA

ORDER
10.02.2026

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1. This hearing has been done through hybrid mode.
2. The present petition under Sections 2(b) and Section 12 of the Contempt of Courts Act, 1971, read with Section 151 of the CPC read with Delhi High Court Rules, seeks the following prayers: -

“a. to direct the respondents/ contemnors to implement and give effect to the findings, order and directions of the Hon'ble High Court of Delhi as held and found in its order dated 23.08.2019. in W.P (C) No. 4481/2019;

b. To direct the respondent/contemnor to pay a penalty for violating the Hon'ble Court order dated 23.08.2019 passed in W.P(C) No. 4481/2019

c. To punish the respondents for flouting the order, finding and directions dated 23.08.2019 and for willfully disobeying and disregarding the same deliberately with the complete knowledge of the same;



d. To pass such any other order(s) as this Hon'ble Court may deem fit in the interest of justice.”

3. Learned Single Judge of this Court, *vide* order dated 23.08.2019 in W.P.(C) 4481/2019, had passed the following directions: -

“Learned counsel appearing for the owner of the property pleads that though the relief sought for is regarding his property but he has not been impleaded as a party.

Learned counsel for SDMC has filed a status report. It is stated that a communication has been received from Archaeological Survey of India on 20.5.2019 where it is stated that the property in question F-49, Gumbad Wall Gall, Katwaria Sarai, New Delhi is beyond the prohibited/regulated area of centrally protected monuments. The report further states that on an inspection of the property/site in question carried out some deviations from the sanctioned building plan was noticed and the same has been booked vide file No. 325/UC/B-II/SZ/19 dated 13.08.2019 for taking necessary demolition under Section 343/344 of the DMC Act, 1957.

The petitioner is appearing in person and states that his counsel had to go on account of some personal difficulty.

Keeping in view the nature of the petition and also that nothing further survives in the petition the petition is disposed of. Direction is given to SDMC to take steps as per law pursuant to the inspection done on 13.8.2019.

Petition stands disposed of. Status report filed is taken on record.”

4. Status report dated 20.09.2022 on behalf of the respondent/SDMC has been placed on record, which reads as under: -

“2. That the present status report is being filed in compliance of this Hon'ble Court's order dated 10.02.2022. That the present status



report be read as part and parcel of earlier status reports dated 26.09.2019, 11.09.2020 as filed by Respondent/ erstwhile SDMC/ MOD. The relevant excerpts from the order dated 10.02.2022 passed by this Hon'ble Court are reproduced herein below for the sake of ready reference:

“Let the property be inspected by the Corporation. Photographs of the fresh measurements, along with sanction plan, showing that the building and the constructed portion is sanctioned by the Corporation, be filed before the next date. Status Report be filed by the Corporation before the next date”

A copy of status reports dated 26.09.2019 and 11.09.2020 have been annexed as **Annexure R-1 (colly)**.

3. It is most respectfully submitted that the owner of the subject property had applied for regularization of the subject property on 07.10.2019 vide id. No. 12/RZN/B/SZ/19/II. That after getting due approval from the Town & Planning Department, the subject property was regularized by Respondent/MCD vide letter dated 24.03.2021 bearing no. 4925/BLDG-II/SZ/2021. A copy of letter dated 24.03.2021 issued by Respondent/ MCD to owner of the subject property is annexed herewith as **Annexure R-2**.

4. Further, it is most respectfully submitted that in compliance with the order dated 10.02.2022, the subject property was inspected by the officials of MCD/ Respondent on 09.09.2022 and fresh measurements of building were taken.

5. Further, it is submitted that the subject property presently comprises of Stilt, Upper Ground Floor, First Floor & Second floor. That upon fresh inspection and measurements undertaken by the answering respondent herein, no deviations from the Sanction / Regularization Plan were found and the subject property was found to be in accordance with the Sanction / Regularization Plan. A copy of the photographs depicting the subject property are annexed herein as **Annexure R-3.”**

5. The matter was passed over on the first call, as there was no appearance on behalf of the petitioner.



6. None appears on behalf of the petitioner on the second call as well.
7. There was no appearance on behalf of the petitioner on the last date of hearing as well, *i.e.*, 06.11.2025.
8. In view of the above, the present petition is dismissed in default for non-prosecution and disposed of.
9. Pending application(s), if any also stand disposed of.

AMIT SHARMA, J

FEBRUARY 10, 2026/kr/db