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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 925/2025 AND CM APPL. 36975/2025**
MANGOLPURI MUHAMMADI JAMA MASJID AND MADARSA
ANWARUL ULOOM WELFARE ASSOCIATION

.....Petitioner

Through: Mr. Kamlesh Kumar Mishra, Ms.
Renu & Ms. Mishra Divya Santosh,
Advs.

versus

SHRI ASHWANI KUMAR AND ORS

.....Respondents

Through: Mr. Kapil Dutta, Mr. Vansh Luthra &
Mr. Siddharth Parashar, Advs. for R1
MCD.

CORAM:

HON'BLE MS. JUSTICE RENU BHATNAGAR

ORDER

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25.06.2025

1. This petition under Section 2(B) and Section 12 of Contempt of Courts Act, 1971, filed by the petitioner for initiation of contempt proceedings against the respondent for non-compliance of the Order dated 18.11.2024 passed by this Court in Writ Petition (Civil) No. 4867/2024 in the matter titled ***Save India Foundation Regd v. Govt. of NCT of Delhi & Ors.*** The relevant portion of the said Order reads as under:

“5. Considering the nature of relief sought, MCD is directed to delineate and indicate to the Applicant the area which is encroaching on the public land that is intended to be removed, within one week from today. In case the Applicant would not remove the encroachments as assured by them in the communication dated 9th November, 2024, MCD shall proceed to take appropriate action, in accordance with law.”

2. It is stated by the learned counsel for the petitioner that in terms of the above said Order, no demarcation report has been furnished to the petitioner



by the MCD and that demolition activity around the property commenced from 12:00 midnight today.

3. Learned Counsel for the respondent who appears on an advance notice submits that the encroached area was duly demarcated in the presence of the petitioner and the same was indicated in the presence of police officials and revenue authorities. It is further submitted that the demolition drive was undertaken only after such demarcation and affixation of requisition notice. He further states that a substantial portion of the encroached area has already been demolished in terms of the order dated 18.11.2024.

4. On the other hand, it is stated by the learned counsel for the petitioner that the respondents were supposed to provide the demarcation report to them, which they have failed to do and no demarcation was done in their presence nor the same is indicated to them, as per the order dated 18.11.2024, hence, committed contempt by demolishing a part of the premises.

5. Issue notice.

6. Notice is accepted by the Learned Counsel for the respondent. He submits that he will file a complete report in reply to the contempt notice alongwith the copies of the photographs.

7. Let reply be filed within a period of one week with a copy to the other side.

8. List before the Regular Roster Bench on the date already fixed i.e., 9th July, 2025 along with the W.P.(C) 4867/2024.

**RENU BHATNAGAR, J
(VACATION JUDGE)**

JUNE 25, 2025/pr/kj