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

+ **CONT.CAS(C) 660/2025**

SMT. KAMLA SETH SINCE DECEASED THROUGH HER
LEGAL HEIR & ORS.Petitioners

Through: Mr. Rohit Gandhi, Mr. Hargun Singh
Kalra and Mr. Varun Trivedi,
Advocates (M: 9818610321).

versus

SH. PANKAJ NARESH AGRAWAL & ANR.Respondents

Through: Mr. Sanjay Poddar Sr. Adv. with Mr.
Anand Prakash, Mr. Govind Kumar
Mr. Saksham Kaushik and Mr. Shivam
Sharma, Advs. for MCD.

+ **W.P.(C) 5270/2013**

KAMLA SETHPetitioner

Through: Mr. Rohit Gandhi, Mr. Hargun Singh
Kalra and Mr. Varun Trivedi,
Advocates (M: 9818610321).

versus

ADDITIONAL DISTRICT MAGISTRAE-CUM-LAND
ACQUISITION COLLECTOR (EAST) & ORSRespondents

Through: Mr. Sanjay Kumar Pathak Standing
Counsel with Mrs. K. K. Kiran Pathak,
Mr. Sunil Kumar Jha, Mr. Mohd Sueb
Akhtar and Mrs. Joohu Kumari,
Advocates for R-1,2 and 4.
Mr. Sanjay Poddar Sr. Adv. with Mr.
Anand Prakash, Mr. Govind Kumar
Mr. Saksham Kaushik and Mr. Shivam
Sharma, Advs. for MCD.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN



ORDER

% **18.05.2026**

1. This hearing has been done through hybrid mode.
2. On the last date of hearing *i.e.*, 13th April, 2026, this Court issued the following directions:

“23. In view of the above, the following directions are issued:

- i. The MCD shall file a fresh affidavit by the next date of hearing after the Commissioner, MCD has taken a re-look at the matter along with latest photographs of the school which is allegedly functioning there. The said affidavit shall also mention the number of students in the school, the classes that are being conducted as also the details of the affiliation. Details regarding other MCD/GNCTD schools in the neighbourhood shall also be given.*
- ii. The school is stated to be in the middle of a busy commercial area. The Petitioner shall place on record the market value of the property as on today along with photographs of the property and surrounding areas by the next date of hearing.”*

3. Today, an affidavit has been filed on behalf of the Municipal Corporation Delhi (hereinafter, ‘MCD’) in terms of the previous order. As per the MCD, the School has 92 children presently studying there and hence, the MCD wishes to continue to run the School from the said premises.
4. As observed on the previous date, *prima facie*, the Court had felt that the execution proceedings were commenced only to avoid the execution



decree which was passed against the MCD.

5. Under these facts, previously *vide* order dated 1st November, 2011 in ***Cont. Cas(C) 312/2011*** titled '***Kamla Seth v. KS Mehra MCD & Ors.***', the Court had called upon the MCD to try to resolve the issue amicably. The Court has also heard Mr. Rohit Gandhi, Id. Counsel appearing for the Petitioner as also Mr. Sanjay Kumar Pathak, Id. Standing Counsel and Mr. Sanjay Poddar, Id. Sr. Counsel appearing for the MCD and the LAC respectively.

6. After hearing the matter and after considering the present market value of the land, it appears that there is a possibility of amicable resolution of the disputes. Both parties are agreeable to appear before the Delhi High Court Mediation and Conciliation Centre.

7. Accordingly, the matter is referred to Id. Mediator- Mr. J.P. Sengh, Senior Advocate under the aegis of Delhi High Court Mediation and Conciliation Centre.

8. Let both the parties obtain their instructions and if possible, agree for a lump sum amount as a full and final settlement of the disputes that have arisen in the contempt petition and in the writ petition.

9. Accordingly, parties to appear before the Delhi High Court Mediation and Conciliation Centre on 21st May, 2026 at 3:00 P.M.

10. List before the Court for reporting settlement on 28th May, 2026.

PRATHIBA M. SINGH, J.

MADHU JAIN, J.

MAY 18, 2026/MR/CK