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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ TEST.CAS. 67/2021

MS. ASHA MISHRA @ ASHA MISRAPetitioner

Through: Mr. Alok Kumar, Sr. Adv. with Mr. Yashvia Sethi, Mr. Amit Kr. Singh, Mr. Varun Maheshwari, Mr. Manan Soni and Mr. Sachin Kumar, Advs.

versus

STATE THROUGH STANDING COUNSEL
& ANR.

.....Respondents

Through: Mr. Divyam Nandrajog, PC for GNCTD with Mr. Prakhyat Gargasya, Adv. for R-1.

Mr. Akshay Makhija, Sr. Adv. with Mr. Pramod Dayal, Mr. Rakesh Kumar and Ms. Seerat Deep Singh, Advs. for R-2.

Mr. Prema Priyadarshini and Mr. Priyansh Kanwar, Advs. for R-3.

Mr. Gurjas Singh Narula, GP for UOI.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

% **16.07.2024**

CCP(O) 37/2024 (under Section 12 of the Contempt of Courts Act, 1971 by the petitioner)

1. The present petition has been filed under Section 12 of the Contempt of Courts Act, 1971 filed by the petitioner.
2. The learned Senior Counsel for the petitioner invites the attention of the Court to the order dated 22.11.2023, to contend that the petitioner was permitted to rent out the property being A-2/8, PWD Complex, Sector-43, Gurugram, Haryana. He submits that despite the order of this Court, the



society in which the property is situated is objecting to rent out of the said property, which has necessitated the filing of the present contempt petition.

3. The learned counsel for the society/ respondent no.3 submits that she has instructions to state that the society does not have any objection to the said property being rented out by the petitioner herein, subject to the Society Rules i.e. a copy of the police verification of the proposed tenant along with a copy of the Rent Agreement/lease deed be furnished at the Society Office for its record and that the maintenance dues of the society be cleared by the parties. The statement of the learned counsel for the respondent no.3 is taken on record.

4. In view of the above statement, the learned Senior Counsel for the petitioner does not wish to press the present petition.

5. Accordingly, the present petition is dismissed as not pressed.

I.A. 8058/2024 (by R-2 under Order VIII Rule 8(1)(a))

6. The present application appears to have been filed under Order VIII Rule 1A(3) CPC [incorrectly mentioned as Order VII Rule 14(3) CPC] by the respondent no.2.

7. The pleadings in the application are stated to be complete.

8. List for hearing on 30.07.2024.

CRL.M.A. 25998/2023 (by R-2 under Section 340 CrPC read with Section 195 CrPC), I.A. 20630/2023(under Order XXVI Rule 9 read with Section 151 CPC by R-2 for appoint of Local Commissioner to visit and report), I.A. 25559/2023(by petitioner under Section 151 CPC for directions to Local Commissioner), I.A. 832/2024 (by R-2 under Section 151 CPC for directions) and I.A. 8820/2024 (under Section 148 CPC read with Order VIII Rule 1(3) CPC and Section 151 CPC by R-2 for enlargement of time to file evidence by way of affidavits).



9. List on 30.07.2024.

JULY 16, 2024/dss

VIKAS MAHAJAN, J