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

+ **CONT.CAS(C) 1538/2023**

MANVADHIKAR ASSOCIATIONPetitioner

Through: Ms. Hardeep Kaur and Ms.
Jagriti Singh, Advs.

versus

SHRI SANJAY ARORA & ORS.Respondents

Through: Mr. Abhinav Singh and Mr.
Praveen Kumar Kaushik, Advs.
for Delhi Police
Mr. Nishant Gautam, CGSC
with Mr. Sanjana Mehrotra, Mr.
Mayank Sharma, Mr. Vinay
Kaushik and Mr. Ajay
Kanojiya, Advs.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

% **20.08.2024**

CM APPL. 47309/2024 (Ex.)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

CONT.CAS(C) 1538/2023 and CM APPL. 47308/2024 (For directions)

3. This application has been moved on behalf of the petitioner, who is bringing on record some documents with regard to the alleged unauthorized constructions, which are being carried out at the site, as also for action against the unauthorized constructions and encroachment carried out by Smt. Sonia Mittal and Smt. Vaishali Gupta, who incidentally are not party to the present contempt petition.



4. Learned counsels for the MCD and Delhi Police are present on advance notice, through video conferencing. However, they have submitted that they have not been supplied with the copy of the present application and documents. Let copy of the present application with relevant documents annexed be supplied to the learned counsels for the MCD and Delhi Police.

5. The petitioner is also directed to implead Smt. Sonia Mittal and Smt. Vaishali Gupta within two weeks from today, by filing an Amended Memo of Parties, who be issued notice of the present application by all permissible modes including *via* approved courier as well, for the date already fixed.

6. In the meanwhile, in order to inquire whether or not the process of law is being abused, in terms of the order passed by a Co-ordinate Bench of this Court in the case titled **Sudeep Kumar v. South Delhi Municipal Corporation of Delhi**¹, which was followed by this Court in a subsequent case titled **Pratap Singh Parmar v. DDA**² and in view of observations made by a Division Bench of this Court in the case of **Ms. Preeti v. MCD**³, Mr. Sandeep Kumar, who is stated to the Authorized Representative of the petitioner/NGO is directed to file an affidavit within four weeks from today in respect of the following aspects:

- (i) details of his occupation and education;
- (ii) source of his income & earnings with copies of bank accounts maintained by him for the last one year;
- (iii) information be furnished regarding the number of petitions that have been filed by the petitioner in the past in any Court of Law in the nature of Public Interest Litigations [“PIL”] or otherwise, and furnish information as to in how many matters he has withdrawn

¹ W.P. (C) 10794/2015 dated 23.11.2015

² W.P. (C) 1141/2021 dated 19.12.2023

³ W.P. (C) 8771/2024 dated 01.07.2024



prosecution or has settled the matters with the opponent parties, which as per him, raised or intended to raise/carry out unauthorised construction and/or encroachment on any public land;

(iv) the distance between the house of the petitioner and the house in which unauthorized construction is alleged;

(v) to disclose whether there is any unauthorized construction in the house of the petitioner and whether the construction of house of the petitioner is as per the sanctioned plan; and

(iv) whether the petitioner has any dispute with the respondent party who is alleged to be raising or interested in raising alleged unauthorized construction.

7. Reply, if any, besides updated Status Report be filed by the MCD within six weeks thereafter.

8. Re-notify on the date already fixed i.e. 28.10.2024.

DHARMESH SHARMA, J.

AUGUST 20, 2024

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