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

+ **CONT.CAS(C) 1036/2025**

**SH ANUJ MALHOTRA**

.....Petitioner

Through: Mr. Kunal Madan, Mr. Shyambabu Gandhi, Mr. Manmay Sarawagi, Mr. Rahul Matharu and Mr. Harshbardhan Singh Tomar, Advocates.

versus

**GOVT OF NCT OF DELHI & ORS.**

.....Respondents

Through: Mr. Abhinav Singh, Advocate for R-1, 2 and 3.

**CORAM:**

**HON'BLE MR. JUSTICE AMIT SHARMA**

**ORDER**

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**03.11.2025**

1. This hearing has been done through hybrid mode.

**CM APPL. 41290/2025 (exemption)**

2. Allowed, subject to all just exceptions. Application is disposed of accordingly.

**CM APPL. 41291/2025 (delay)**

3. The present application under Section 151 of the CPC seeks condonation of delay of 41 days in refiling the captioned petition.

4. In view of the averments made in the application, the present application is allowed and disposed of accordingly.

5. Delay of 41 days in refiling the captioned petition is hereby condoned.

**CONT.CAS(C) 1036/2025**

6. The present petition under Article 215 of the Constitution of India read with Sections 11 and 12 of the Contempt of Courts Act seeks following



prayers:-

- “i) Initiate contempt proceeding against the alleged contemnor for wilfully and deliberately disobeying the 08.08.2024 passed by the Hon'ble Chief justice in Public interest W.P.(C) 10273/2024 in the matter of Anuj Malhotra Vs Govt of NCT.
- ii) May please to direct the respondent to immediately compliance of the said order
- iii) Pass any other or further order/s as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

7. *Vide* order dated 08.08.2024, the learned Division Bench of this Court in W.P.(C) 10273/2024 passed the following directions:-

- “3. In view of the above, the following directions are issued:-
  - (a) The GNCTD is directed to appoint adequate staff/manpower for cleaning the washrooms/toilets in each of the Jail Complexes. GNCTD may even consider seeking assistance from NGOs or employing people on contractual basis for this purpose.
  - (b) In all Jail Complexes, where cleaning work is being performed voluntarily by the Jail inmates, they should be suitably paid according to the minimum wages fixed by the Government for unskilled labour or as per the wages fixed/stipulated in the Jail Manual as applicable. Additionally, DG (Prison) and the concerned Jail Superintendent should ensure that suitable cleaning gears, including gloves, masks, boots and other toiletries be provided to such inmates involved in the voluntary cleaning work of washrooms/toilets. It is to be ensured that no manual scavenging is imposed upon inmates.
  - (c) The Public Works Department, GNCTD is directed to carry out a thorough inspection of all Jail Complexes across Delhi regarding the conditions of washrooms/toilets within two weeks from today and if any repair/renovation work is required, suitable proposals be moved in this regard within further period of two weeks. The renovation work be carried out in phased manner so as to ensure that the washrooms/toilets remain available for the use of the inmates at all times. The entire renovation process must be completed within four months from the date of this order.
  - (d) Septic Tanks, if required, shall be constructed forthwith. If keeping in view the number of inmates, the number of washrooms/toilets is to be increased, the same shall be done expeditiously.
- 4. With the aforesaid directions, the present writ petition stands disposed



of. However, the GNCTD is directed to file an action taken report within eight weeks.

5. List for compliance on 22nd October 2024.”

8. Learned counsel appearing on behalf of the petitioner points out that till date no action taken report has been filed nor any steps have been taken in pursuance of the aforesaid directions.

9. Issue notice.

10. Learned counsel appearing on behalf of respondents no. 1, 2 and 3 accepts notice.

11. No notice is issued to respondent no. 4 at this stage.

12. Let a copy of the petition be supplied to the learned counsel for respondents no. 1, 2 and 3.

13. Let a compliance report be filed before the next date of hearing.

14. List on 25.03.2026.

15. In case of non-compliance, the Superintendent Central Jail, Tihar shall remain present in Court on the next date of hearing.

**AMIT SHARMA, J**

**NOVEMBER 03, 2025/sn/sg**