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

+ **CONT.CAS(C) 1349/2025**

VIVEK ARORA & ANR.

.....Petitioners

Through: Mr. Dhruv Kapur and Mr. Maharshi
Kaler, Advocates.

versus

ISHV REALTORS PVT. LTD. & ORS.

.....Respondents

Through: Mr. Abhimanyu Singh and Mr.
Pawash Piyush, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

ORDER

% **04.09.2025**

1. This hearing has been done through hybrid mode.

CM APPL. 55953/2025 (Exemption)

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

CONT.CAS(C) 1349/2025

3. The present petition under Sections 11/12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India seeks the following prayers:

“a. Initiate contempt Respondents for proceedings wilful and against deliberate disobedience of the directions contained in the order dated 23.05.2025 passed by this Hon'ble Court in O.M.P. (I) (COMM.) 192/2025;

b. Award exemplary costs and pass appropriate punitive orders to deter such blatant defiance of court orders;”

4. Learned counsel for the petitioners submits that *vide* order dated 23.05.2025 in O.M.P. (I) (COMM.) 192/2025, the learned Single Judge of this Court on the basis of an undertaking given by the respondents passed the



following orders:

“10. Learned Senior Counsel for Respondent No. 2 and counsel for Respondent No. 1 submit that stay of construction of the units in the project will have an adverse impact on the home buyers who have invested money. It is further submitted that Respondent No. 2 has also certain claims against the Petitioners and therefore, it is incorrect for the Petitioners to urge that Respondent No.2 owes Rs.11 lacs with interest to the Petitioners. However, it is submitted that without prejudice to the rights and contentions of the Respondents, a sum of Rs. 7.5 crores shall be paid to the Petitioners on or before 31.08.2025 and another sum of Rs. 10 crores will be paid on or before 30.09.2025 along with interest @ 12% per annum on the said amounts.

11. The undertaking given by the Respondents is accepted and taken on record. Director of Respondent No. 1 shall file an affidavit of undertaking in this regard on or before 30.05.2025. In the event of non-compliance of the undertaking given to this Court, Respondents shall stop the construction of the project on land measuring 3.7187 acres, situated in revenue estate of Pawala Kharsupur, Tehsil and District Gurugram forthwith, in terms of Clauses (D) and (E) of Addendum dated 06.03.2024.”

5. Learned counsel for the petitioners submits that apart from the fact that no payment in terms of para 10 has been received, the affidavit of undertaking directed to be filed on behalf of respondent no. 1 on or before 30.05.2025 has also not been filed.

6. Learned counsel for the respondents, on advance notice submits that the application seeking modification of aforesaid order has been filed, which is pending adjudication.

7. Let a response to the present petition be filed before the next date of hearing. List on 03.12.2025.

AMIT SHARMA, J

SEPTEMBER 4, 2025/bsr/sp