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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 1462/2025**
ISHWAR SINGH CHHIKARAPetitioner

Through: Mr. Anubhav Singh, Mr. Nitin
Kumar, Ms. Maria Mary, Advs.

versus

NARESH KUMAR & ANR.Respondent
Through: Adv. (Appearance not given)

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

% **17.02.2026**

1. The present petition has been filed by the petitioner alleging wilful disobedience/ non-compliance of the directions contained in the order dated 16.08.2024 passed in Civil Suit bearing No. CS DJ ADJ 545/24 by LD. DJ-02, South-West, Dwarka Courts, Delhi. The operative direction therein reads as under:-

3. Learned counsel for defendant no.2 on instructions submits that Defendant no.2 has been residing in the suit property bearing no.49A, 2nd floor, Back Side, Chankya Palace Part-1, Uttam Nagar, New Delhi as a tenant under Shri Ishwar Singh Chhikara and that he shall vacate the same within 20 days from today.

2. Separately, on 16.08.2024 itself, the statement of the defendant no.2 (respondent herein) was specifically recorded. The said statement of the defendant no.2 was in the following terms:-



Statement of Shri Naresh Kumar S/o Shri Daneshwar Singh, R/o 49A, 2nd floor, Back Side, Chankya Palace Part-1, Uttam Nagar, New Delhi (Aadhaar Card No.781084057460)

on SA

I am defendant no.2 in the present suit. I state that I am residing in the above said address as shown in green color in the site plan attached in the present case. I am residing in the above said suit property in the capacity of a tenant.

I further state that I have no legal right, title or interest over the above said suit property and I shall vacate the said premises and will remove all my belongings from there and will hand over the peaceful possession of the above said property within 20 days from today to the landlord, namely, Ishwar Singh Chhikara who is plaintiff in the present suit.

RO&AC

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(Richa Gusain Solanki)
District Judge-02, South-West,
Dwarka Courts, Delhi

3. Despite the aforesaid statement made as far back as on 16.08.2024, the respondent no.1 has not vacated the property in question. It also transpires that after the aforesaid statement was made, an application under Order 1 Rule 10, CPC, came to be filed on behalf of the wife of the respondent no.1 wherein, a different twist/ version was sought to be given to dilute the effect of the aforesaid statement. The said application under Order 1 Rule 10 is stated to have been rejected by the Trial Court.
4. *Prima facie*, it is evident that the respondent no.1 herein has acted in wilful disobedience of the statement/ undertaking dated 16.08.2024 made by him before the Court of learned DJ-02, South West, Dwarka Courts, Delhi. The same entails action under the Contempt of Courts Act, 1971.
5. Accordingly, issue Show Cause Notice to the respondent no.1 (Mr.



Naresh Kumar) as to why action be not taken against him under the Contempt of Courts Act, 1971 for committing wilful disobedience. Let a response to the show cause notice be filed within a period of three weeks from today.

6. The respondent no.1 (Mr. Naresh Kumar) is directed to remain personally present in Court on the next date of hearing.

7. List on 30.03.2026.

SACHIN DATTA, J

FEBRUARY 17, 2026/uk