



\$~28

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

+ **CS(OS) 355/2018 & I.A. 1071/2026**

ANURADHA SEN MOOKERJEEPlaintiff

Through: **Ms. Kashvi Dutta, Advocate**

versus

K.S. SAXENA & ANR.Defendants

Through: **Mr. Sumit Swami, Advocate for D-1
(Through VC)**

**Mr. Arnav Vidyarthi, Advocate for
Defendant No. 2 (through VC)**

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

%

16.01.2026

I.A. 1071/2026

1. The present application has been filed on behalf of the plaintiff under Order XXXIX Rule 2A, read with Section 151 of the Code of Civil Procedure, 1908 ("CPC") for wilful disobedience of the orders passed by this Court.

2. It is submitted that on 04th September, 2018, this Court has recorded the statement of learned counsel for defendant no. 1 that no further construction shall be made in the suit property, i.e., *Plot No. B-1/7, Hauz Khas Enclave, New Delhi-110016*. However, despite the same, the defendant no. 1 has continued to carry out unauthorised and illegal construction.

3. She draws the attention of this Court to the photographs, filed along



with the present application, to submit that some activity of construction has been carried out.

4. Issue notice. Notice is accepted by learned counsel appearing for defendant nos. 1 and 2.

5. Learned counsel appearing for defendant no. 1 submits that no further construction has been carried out in the property, and on account of seepage in the property, only *Dr. Fixit* has been applied.

6. Accordingly, let an affidavit be filed by defendant no. 1, in this regard, within a period of two weeks.

7. List on the date already fixed, i.e., 03rd February, 2026.

MINI PUSHKARNA, J

JANUARY 16, 2026

ak