

ITEM NO.24

COURT NO.7

SECTION III-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CONTEMPT PETITION (CIVIL) Diary No.6873/2026

RAJDARBAR ICONIC VENTURE PRIVATE LIMITED

Petitioner(s)

VERSUS

ANURAG RASTOGI & ORS.

Alleged Contemnor(s)/Respondent(s)

(IA No. 36570/2026 - CONDONATION OF DELAY IN FILING CONTEMPT
PETITION AND IA No. 68008/2026 - EXEMPTION FROM FILING PAPER BOOKS)

Date : 14-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA

HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) :

Mr. Neeraj Kishan Kaul, Sr. Adv.
Mr. Atmaram N S Nadkarni, Sr. Adv.
Mr. Daksh Kadian, Adv.
Ms. Ira S Mahajan, Adv.
Mr. Sreekar Aechuri, Adv.
Mr. Kumar Saumitr, Adv.
Mr. Udit Sidhra, Adv.
Mr. Mayank Gupta, Adv.
Mr. S S Rebello, Adv.
Ms. Deepti Arya, Adv.
Ms. Manisha Gupta, Adv.
Ms. Himanshi Nagpal, Adv.
Ms. Arzu Paul, Adv.
Mr. Prashant Dixit, Adv.
Mr. Manohar Pratap, AOR

For Respondent(s) :

Mr. Lokesh Sinhal, Sr. A.A.G.
Mr. Samar Vijay Singh, AOR
Ms. Sabarni Som, Adv.
Mr. Aman Dev Sharma, Adv.
Mr. Nikunj Gupta, Adv.
Mr. Sarthak Arya, Adv.
Mr. Yashwir Singh Hooda, Adv.
Mr. Keshav Mittal, Adv.

Mr. Lokesh Sinhal, Sr. A.A.G.
Mr. Samarvir Singh, Adv.
Mr. Samar Vijay Singh, Adv.
Mr. Nikunj Gupta, Adv.
Mr. Sarthak Arya, Adv.

Mr. Shivansh Pundir, Adv.
 Ms. Bhavya Singhla, Adv.
 Ms. Sabarni Som, Adv.
 Mr. Aman Dev Sharma, Adv.
 Mr. Gaj Singh, Adv.
 Mr. Rahul Khurana, AOR

Mr. Varun Chugh, Adv.
 Ms. Shagun Shahi Chugh, Adv.
 Mr. Aishwary Jaiswal, Adv.
 Mr. Sumit Kumar Gautam, Adv.
 Mr. Kabir Singh, Adv.
 Mr. Prashant Rawat, AOR

Mr. S D Sanjay, A.S.G.
 Mr. Gurmeet Singh Makker, AOR
 Mrs. Swati Ghildiyal, Adv.
 Mr. Udit Dediya, Adv.
 Mr. Padmesh Mishra, Adv.
 Mr. Uday Prakash Yadav, Adv.

Mr. Siddharth Yadav, Sr. Adv.
 Mr. Wasim Ashraf, Adv.
 Mr. Narender Lo Diwal, Adv.
 Mr. Krishna Ballabh Thakur, AOR

UPON hearing the counsel the Court made the following
 O R D E R

1. Delay condoned.
2. Application seeking exemption from filing Paper Books is allowed.
3. The petitioner has invoked contempt jurisdiction of this Court.
4. According to the petitioner, the Judgment and Order passed by this Court dated 17th December, 2024 in Civil Appeal No.14604 of 2024, more particularly the directions issued therein, have been flouted by all the respondents.
5. This is a litigation *prima facie* between two private parties.
6. On one hand, it is the petitioner, a Private Limited Company, and on the other, the Respondent Nos.8 and 9 respectively with whom the petitioner has many issues with respect to the land in question.

7. We heard Mr. Neeraj Kishan Kaul, the learned Senior Counsel appearing for the contempt petitioner, Mr. Lokesh Sinha, the learned Senior Counsel appearing for the Respondent Nos.8 and 9 respectively, Mr. Lokesh Sinha, the learned counsel appearing for the official Respondents and Mr. S.D. Sanjay, the learned Additional Solicitor General appearing for the Respondent No.7.

8. The learned counsel appearing for the Corporation brought to our notice that the Corporation has already looked into the matter and reached the conclusion that the construction which has been put up on the subject - land in whatever form is absolutely unauthorized and illegal.

9. In the aforesaid context, a final Order has already been passed for demolition. However, the Respondent Nos.8 and 9 respectively went in appeal before the Commissioner, Gurugram Division, Gurugram under Section 261(2) of the Haryana Municipal Corporation Act, 1994.

10. The Appellate Authority looked into the Order dated 17th September, 2024 passed by the Joint Commissioner Zone-III, Municipal Corporation, Gurugram ordering demolition. The Appeal ultimately came to be allowed. The operative part of the order passed by the Appellate Authority reads thus:-

"Accordingly, the present appeal is allowed. The appellants are directed that till final adjudication of the dispute by the learned Arbitrator, no construction activity shall be carried out on the disputed land without obtaining requisite permission/sanction from the Municipal Corporation, Gurugram.

The Municipal Corporation, Gurugram is also directed to maintain status quo regarding the disputed property till final disposal of the arbitration proceedings, and thereafter the parties shall be at liberty to proceed in accordance with law depending upon the outcome of the arbitration."

11. Thus, *prima facie*, it appears that the Appellate Authority took into consideration the fact that the parties are before an Arbitral Tribunal and the arbitration proceedings are in progress.

12. In such circumstances, the Appellate Authority thought fit to interfere with the Order passed by the Joint Commissioner Zone-III, Municipal Corporation, Gurugram ordering demolition of the

structures standing on the subject - land till the final disposal of the arbitration proceedings.

13. We are of the view that the arbitration proceedings has nothing to do with the action which came to be taken by the statutory Authorities under the Act. The Arbitral Tribunal is looking into the claims insofar as the subject - land is concerned or in other words the rights over the subject - land. The Statutory Authorities are not concerned with the private dispute between the parties. They are concerned with the illegal or unauthorized construction which came up over a period of time.

14. In such circumstances, *prima facie*, the Appellate Authority ought not to have made the arbitration proceedings as one of the grounds for the purpose of interfering with the order of demolition.

15. Be that as it may, the learned counsel appearing for the Corporation made a statement that they have already prepared a Writ Petition to be preferred in the High Court of Punjab & Haryana at Chandigarh for the purpose of challenging the Order passed by the Appellate Authority dated 23-12-2025 in Writ Appeal No.108 of 2024.

16. We direct the Corporation to act fast and prefer a petition for the purpose of challenging this Order. If any such petition is preferred, the High Court shall look into it expeditiously on its own merits in accordance with law.

17. We also propose to request the Arbitral Tribunal to see that the arbitration proceedings conclude at the earliest with an appropriate award in accordance with law.

18. At the same time, we also direct the Respondent No.4 before us i.e. District Town Planner (Enforcement) Gurugram, to proceed in accordance with law, more particularly in accordance with the provisions of Sections 3B and 10 respectively of the Haryana Development and Regulation of Urban Areas Act 1975.

19. With the aforesaid, this petition stands disposed of.

20. Pending applications, if any, also stand disposed of.

(VISHAL ANAND)
DEPUTY REGISTRAR

(POOJA SHARMA)
COURT MASTER (NSH)