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

CNR No. DLHC013716092018

+ RFA 927/2018 with CM APPL. 4395/2019, CM APPL. 13574/2019
CM APPL. 5807/2022, CM APPL. 5809/2022, CM APPL.
16819/2026, CM APPL. 46495/2026, CM APPL. 59283/2026 and CM
APPL. 59284/2026

SIS RAM (DECEASED) & ANR

.....Appellants

Through: Mr. Ankit Jain, Senior Advocate with
Mr. Prabhat Kumar Rai, Advocate

versus

SANJAY GUPTA

.....Respondent

Through: Mr. Ashutosh Gupta, ASC with
Mr. Ankit Singh and Mr. Dheeraj
Kapoor, Advocates for MCD
(Through VC)

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **18.09.2026**

CM APPL. 59284/2026 (exemption)

1. Allowed, subject to all just exceptions.

CM APPL. 59283/2026 (u/O-XXXIX R-2A of CPC)

2. This application has been filed on behalf of the respondent under Order XXXIX Rule 2A of the Code of Civil Procedure, 1908, seeking directions against the appellants for violating the orders passed by this Court and obstructing the execution of the Commission appointed by this Court.

3. Notice in this application was issued *vide* order dated 3rd September 2026 on which date the appellants were directed to remain physically present



in Court.

4. Pursuant to the aforesaid order, the appellants are physically present in Court.

5. Mr. Ankit Jain, senior counsel appearing on behalf of the appellants, submits that the reply to this application has been filed.

5.1. However, the same is not on record.

5.2. The delay, if any, in filing the reply is condoned.

5.3. Counsel shall take steps to have the reply placed on record.

6. This Court has perused the report filed by the Local Commissioner appointed by this Court *vide* order dated 23rd July 2026. The report refers to the obstruction caused by Mr. Pravesh Lakra, who is the son of the appellant no.2, in execution of the Commission. The relevant paragraphs of the report of the Local Commissioner are set out below:-

7. The police officials called for someone from inside the premises, whereupon Mr. Chandan Shukla came out and introduced himself as a relative of Mr. Pravesh Lakra. A telephonic conversation then took place between the undersigned and Mr. Lakra through Mr. Shukla's phone. A copy of the order dated 23rd July 2026 was also shared with Mr. Shukla, who was requested to forward the same to Mr. Lakra for his perusal. Despite receiving the aforesaid order through Mr. Shukla, Mr. Lakra vehemently objected to the execution of the Local Commission on multiple grounds. Throughout the conversation, Mr. Lakra used an aggressive and confrontational tone with the undersigned. Mr. Lakra questioned the identity and authority of the undersigned, repeatedly asking who the undersigned was, why she had come to the suit property and how she could enter the premises.



8. Instead of assisting the Local Commissioner, Mr. Lakra was challenging the mandate of the order appointing the undersigned as Local Commissioner. He stated that he is not a party to the suit/appeal and hence, no one can enter his property only on the basis of a court order without any prior notice. To prolong the telephonic conversation with the undersigned, he questioned why the order had not been served upon him especially when he had no prior notice of the date of hearing i.e. 23rd July 2026. Mr. Lakra also stated that the undersigned cannot enter the property without his presence and permission.

18. Two permanent single-storey structures were also found at the backside of the suit property, one housing a generator and the other being used as a kennel for two dogs. The walls of the kennel were unpainted and freshly cemented. The photographs of the generator room and the kennel have been attached herewith as Annexure-8. When the undersigned reached that area, the two dogs were released from the kennel. It caused interruption during the proceedings. One of the Head Constables intervened and directed Mr. Chandan Shukla to put the dogs back in the kennel, following which the inspection resumed.



23. Throughout the inspection, Mr. Lakra remained on a telephonic call with Mr. Chandan Shukla, who accompanied the undersigned throughout the execution of the Commission. It may be noted that Mr. Chandan Shukla's phone was kept on speaker mode and Mr. Lakra repeatedly objected to the execution of the commission. Mr. Lakra also hurled distasteful remarks in an aggressive tone at the undersigned..
24. During the execution of Local Commission, Mr. Lakra was repeatedly shouting at Mr. Shukla and making remarks like "*bahar nikalo inko*" (throw them out) and "*reel nikalo inki*" (make their reels). The undersigned requested Mr. Lakra that the execution of the commission should not be obstructed and informed him that the events happening during the inspection would be recorded in the report. Mr. Lakra nevertheless continued to insist that the inspection be stopped. Therefore, he continued to harass the undersigned and stated that "*ladies hone ka fayeda utha rahi hai*" (taking advantage of being a woman).

7. This is a serious matter where dogs have been released on a Local Commissioner appointed by this Court as also the photographer accompanying her. Along with the aforesaid report, the Local Commissioner has placed on record photos and videos evidencing the obstruction caused by the appellant no.2, Mr, Pravesh Lakra and Mr. Chandan Shukla in execution of the Commission. Despite being informed that the proceedings and any obstruction thereto would be duly recorded, the said persons continued to interfere with and obstruct the execution of the Commission.

8. The conduct of the appellants, as highlighted by the Local Commissioner, is a serious issue which *prima facie* shows that the appellants have caused obstruction in the execution of the Commission appointed by this Court. In this view of the matter, I deem it appropriate to issue notice to the appellants as to why action should not be taken against them under the



Contempt of Courts Act for the conduct as depicted by the Local Commissioner in her report.

9. Contempt Notice be issued to Mr. Pravesh Lakra and Mr. Chandan Shukla.

10. Notice is accepted by counsel appearing for the appellants.

11. Mr. Pravesh Lakra and Mr. Chandan Shukla shall file affidavit(s) within four (4) weeks as to why action should not be initiated against them under Order XXXIX Rule 2A of CPC for violation and wilful disobedience of the orders passed by this Court.

12. List on 19th November, 2026.

13. Mr. Pravesh Lakra and Mr. Chandan Shukla shall be physically present in Court on the next date of hearing. The appellants shall also be present on the next date of hearing.

AMIT BANSAL, J

SEPTEMBER 18, 2026
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