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In the Delhi High Court

Case No : C.M. No. 820 of 2001 Civil Writ Petition No. 6734 of 2000

Rajeev Malhotra — APPELLANT

Vs

Union of India and others — RESPONDENT

Date of Decision : 01-06-2001

Acts Referred:
Central Excises and Salt Act, 1944 — Section 2

Citation : (2001) 93 DLT 532 : (2002) 63 DRJ 243

Hon'ble Judges : Om Prakash Dwivedi, J;A.D. Singh, J

Bench : Division Bench

Advocate : Mr. Rajeev Awasthi, for the Appellant; Mr. Raman Duggal, for MCD, Mr. Pradeep Nandrajog, for Sh. R.S. Sehrawat, Junior Engineer, M.C.D., Dr. Surat Singh, for Sh. Puran Singh Rawat, Baildar, M.C.D., Mr. J.M. Sabharwal, Senior Advocate and Mr. Rajan Sabharwal, for Sh. U.S. Chauhan, JE, MCD Mr. Raman Duggal, for MCD, Mr. Pradeep Nandrajog, for Sh. R.S. Sehrawat, Junior Engineer, M.C.D., Dr. Surat Singh, for Sh. Puran Singh Rawat, Baildar, M.C.D., Mr. J.M. Sabharwal, Senior Advocate and Mr. Rajan Sabharwal, for Sh. U.S. Chauhan, JE, MCD, Mr. Raman Duggal, for MCD, Mr. Pradeep Nandrajog, for Sh. R.S. Sehrawat, Junior Engineer, M.C.D., Dr. Surat Singh, for Sh. Puran Singh Rawat, Baildar, M.C.D., Mr. J.M. Sabharwal, Senior Advocate and Mr. Rajan Sabharwal, for Sh. U.S. Chauhan, JE, MCD, for the Respondent

Judgement

Anil Dev Singh, J.—These proceedings arise from Civil Writ Petition No. 6734/2000 which is in the nature of a public interest litigation. It is stated in the writ petition that some time in March 2000 the petitioner had purchased Plot No. 37C measuring 834 square yards at Ashoka Avenue Sainik Farms, New Delhi.It Delhi. It is the case of the petitioner that he was approached by Shri R.S. Sherawat, junior Engineer, M.C.D., and Shri Puran Singh Rawat, Baildar, M.CD. They asked him to pay rupees one lakh per month for allowing hi to raise construction on the site. The petitioner claims to have told them that the amount demanded by them was excessive and he was not in a position to pay the same. The petitioner with a view to protect the plot is stated to have started the work of raising the boundary wall. Constable Surinder Singh and Constable Jai Kishan,

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Filed Offices, belonging to the Delhi Police, objected to the construction of the boundary wall on the ground that the same was not permissible and required the petitioner to pay some money to them for allowing him to carry on the construction. It is also claimed that the petitioner paid a sum of Rs.1,0000/- to them. It is also alleged that Sub Inspector Man Moha, Chowk in charge of the area, approached the petitioner and asked him to pay a sum of Rs.1,500/- for allowing him to complete the construction of the boundary wall. It is further asserted that the Sub Inspector asked the petitioner to visit the Chowki (Police Station Ambedkar Nagar) in case he wanted to construct the property as he would make arrangements with the M.C.D. officials. Thereupon, the petitioner is said to have visited the Chowki (Police Station Ambedkar Nagar) and met SI Man Mohan. After some time Shri R.S. Sehrawat and Shri Puran Singh Rawat allegedly came to the Chowki (Police Station Ambedkar Nagar). They told him that they would allow him to construct the property provided he paid a sum of Rs. One lakh to them. Ultimately, it was decided that the petitioner shall pay a sum of Rs.70,000/- per month to the officers of the M.C.D. till the construction of the of the property is completed. It was also agreed that a sum of Rs.12,000/- will be paid to SI Man Mohan. Consequently, on September 15, 2000, the petitioner is said to have paid a sum of Rs.70,000/- to Shri R.S. Sehrawat, J.E., and Shri Puran Singh Rawat. Besides, a sum of Rs.12,000/- was allegedly paint to SI Mah Mohan, Chowki in charge, Sainik Farms.On October 12,2000, after the construction was started, another Installment of Rs.70,000/- is claimed to have been paid to Shri U.S. Chauhan JE, Shri S.P. Bhardwaj AE, and Shri Puran Singh Rawat and Shri Rakesh, Baildars. It is also claimed that the demand of the police was also met.

2. On October 30,2000, by which time the construction was completed and the finishing jobs were going on, the officials of the M.C.D. and the police department including the S.H.O, Ambedkar Nagar Police Station, came to the site of construction and completely demolished the structure. The petitioner thereafter is stated to have asked Shri R.S. Sehrawat JE, Shri U.S. Chuhan JE, Shri S.P. Bhardwaj AE, Shri Puran Singh Rawat Singh Baildar, Shri Rakesh Baildar, SI Man Mohan to return the money.

3. The petitioner has filed the instant writ petition seeking action against illegal and unauthorised constructions raised in the Sainik Farms and for a direction to the respondents to take action against the erring officials of the M.C.D. as well as the police personnel during whose tenure the unauthorised constructions were raised in contravention of the direction of this Court dated November 3, 1997 in Civil Writ Petition No. 7441/93.In the writ petition the petitioner also seeks a direction to the Union of India and the Municipal Corporation of Delhi to place on record their policy with regard to the Sainik Farms. There are number of other prayers but it is not necessary to refer to them for the purposes of this application.

4. On November, 9, 2000, this Court directed issuance of notice to the

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respondents to show cause why rule nisi be not granted.

5. At this stage, it is significant to note that in CWP No. 7441/93 a clear direction was issued by this Court on November 3, 1997 restraining unauthorised constructions in unauthorised colones. On December 6,2000, keeping that order in view a notice was directed to be issued to the following officers of the M.C.D. and the Police who were posted during the time the consecution was raised on the plot of the petitioner to show cause why proceedings for contempt of court be not initiated against them as pram facie they had allowed large scale construction to come up in violation of the order dated November 3, 1997:-

1. Mr. R.S. Shrawat (JE), M.C.D.

2. Mr. U.S. Chauhan (JE), M.C.D.

3. Mr. S.B. Bhardwaj, AE, Sought Zone, Building Department, M.C.D.

4. Mr. Puran Singh Rawat, Baildar, M.C.D.

5. Mr. Rakesh, Baildar, M.C.D.

6. Mr. Man Mohan, SI, Chowki in charge, Sainik Farms.

7. Mr. V.K. Malhotra, Ex. Enigneer, M.C.D.

8. Mr. Vir Singh, SHO.

The officers were granted two weeks time to file affidavits in reply to the notice. Pursuant to the aforesaid order, Shri U.S. Chauhan JE, Sough Zone and Shri R.S. Sehrawat JE, filed affidavits on January 10, 2001 and january 3, 2001, respectively. Mr. U.S. Chauhan, in his affidavit, is stated to have carried out demolition of certain properties in Sainik Farms. At this stage, it will be convenient to extract the following paragraphs of the affidavit:-

"3. I say that after I have taken over the charge of Word Nos. 57 & 60, in Sainik Farm area Superior Officers of Building Deptt./Sought Zone of the Municipal Corporation of Delhi fixed the routine demolition action programme for the month of October, 2000 i.e. 11.10.2000, 18.10.2000, 19.10.2000 & 30.10.2000, vide requisition bearing No. D/1498/EE(B)/SZ/2000 dated 18.10.2000 addressed to Dy. Commissioner of police (South)& S.H.O./P.S. Ambedkar Nagar, New Delhi. With the aid and assistance of the Police protection force provided by the Police Station, Admedkar Nagar, New Delhi, the following demolition actions have been taken against the unauthorised constructions in Sainik Farm area, the details whereof are given below:-

S. Date of Demolition action No. Demolition taken at the property ___ _____ _____

1. 11.10.2000 P.No.15C, Sainik Farm

2. 18.10.2000 P.No.12C, Sainik Farm

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3. 19.10.2000 P.No.11C, Sainik Farm and P.No.37E, Sainik Farm.

4. 30.10.2000 P.No., Sainik Farm

4. It is pertinent to mention herein that the unauthorised constructions at the above mentioned properties have been demolished. Besides, the major demolition action against the unauthorised constructions notice(d) in Sainik Farm area has been taken during my tenure as Jr. Engineer (Bldg.)/Sainik Farm, New Delhi, the details whereof are given below:-

S.No. Date of Demolition Demolition action taken at the property _____ _____ _____ 1. 11.10.2000 P.No.15C, Sainik Farm

2. 18.102000 P.No. 12C, Sainik Farm

3. 19.10.2000 P.No. 11C, Sainik Farm

4. 19.10.2000 P.No. 37E, Sainik Farm

5. 30.10.2000 P.No. 37C, Sainik Farm

6. 03.11.2000 P.No. 559A, Sainik Farm

7. 09.11.2000 P.No.208B, Sainik Farm

8. 10.11.2000 P.No.501/12A, Sainik Farm

9. 13.11.2000 P.No.J-12, Sainik Farm

10. 13.11.2000 P.No. E-148, Sainik Farm

11. 14.11.2000 P.No.37E, Sainik Farm

12. 15.11.2000 P.No.163A,Sainik Farm

13. 16.11.2000 P.No. 79A, Sainik Farm

14. 17.11.2000 P.No.79A, Sainik Farm

15. 02.12.2000 P.No. J-26/2, Club Road, Sainik Farm.

16. 01.12.2000 P.No. 501/17,Saini Farm

17. 04.12.2000 E-250, Sainik Farm.

18. 04.12.2000 E-75B, Club Road, Sainik Farm.

19. 05.12.2000 J-12, Sainik Farm

20. 09.12.2000 B-2,Saini Farm

21. 07.12.2000 J-250, Sainik Firm.

22. 08.12.2000 J-7B, Sanik Farm.

23. 09.12.2000 B5 Lane ,W14, Sainik Farm

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24. 19.12.2000 J-238, Sainik Farm.

25. 20.12.2000 12C, Sainik Farm.

26. 21.12.2000 B-5 Lane 14, Vinod Complex, Sainik Farm.

27. 22.11.2000 501/12A, Sainik Farm.

Apart from the above demolition action, the demolition action could be taken place in the area of Saini Farm due to non-availability of Police Force on the dates mentioned against the Police Stations. The demolition action is not possible without police protection:-

P.S.Mehruali PS Ambedkar Nagar6.11.2000 1.11.2000

8.11.2000 27.11.2000

21.11.2000 28.11.2000

22.11.2000 29.11.2000

23.11.2000 23.12.2000

24.11.2000

11.12.2000

12.12.2000

13.12.2000

26.12.2000

27.12.2000

29.12.2000

30.12.2000

Needless to mention here, the unauthorised construction at the aforementioned premises have also been demolished.Besides, the regular demolitions actions are being taken in the area under activity as per the programme fixed by the Department from the time to time. No unauthorised construction activity has either been allowed or permitted during my tenure as Jr. Engineer (B) in Sainik Farm, and in case, any Building activity is noticed, prompt demolition action at its initial/on-going stage has been taken and the construction work was got stopped.

Aggrieved by the demolition action taken under the supervision of the Deponent on 30.102000, the petitioner Sh.Rajeev Malotra had physically harmed the deponent by hitting on the chest. Consequently, complaint against the petitioner Shri Rajeev Malhotra was lodged by the deponent on the same day.A copy of complaint is annexed her to as Annexure U-II.

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Mr. Sehrawat in his affidavit filed on January 3,2001 while denying the charge of having committed contempt of court stated that during his tenure he undertook fourteen major demolition actions in Sainik Farms. It was also stated that in these demolition actions, fourteen constructions were razed to the ground. In this regard the affiant stated as follows:-

"22. That during the period 7.3.2000 to 27.9.2000 when apart from other wards, ward No. 60 was under the deponent, the deponent carried out nearly 32 on going constructions demolition. The deponent under took 14 major demolition. The deponent under took 14 major demolition actions in Sainik Farms alone. In these major demolition actions, 14 major constructions were raised (razed) to the ground.A true copy of the photographs showing the said major demolition actions is annexed herewith as Annexure R-5/8".

According to the aforesaid assertion, properties of which photographs marked Annexure R-5/8 collectively and annexed with the affidavit were subject matter of major demolitions and were razed to the ground. Annexure R-5/8 are photographs of properties No. E-148, 49, 68, 173, A-150, 68, A-148, F-2000 and 201, H-541 and House in front thereof , A-112, B-137 before and after demolition. Photographs of property No. 49 and H-541 have been placed at pages 144 and 151, respectively. Along side the photograph of property No. 49 it is stated to the effect that action was taken on June 7, 2000. Along with the photograph of property No. H-541 (at page no. 151 of the court record) the date of demolition is given as September 14,2000.

6. On january 12, 2001, the learned counsel for the petitioner controverter the assertion of Shri Chauhan and Shri Sehrawat regarding the demolition of the properties. In order to ascertain the ground realities we appoint a committee of advocates for ascertaining whether or not the properties mentioned in the affidavits of Shri U.S. Chauhan and Shri R.S. Sehrawat had been demolished. Pursuant to out direction the committee visited the spot and submitted its interim report dated January 23,2001.On January 24, 2001 we were taken through the report of the committee as also the affidavits os Shri R.S. Sehrawat and Shri U.S. Chauhan. It was pointed out by the learned counsel for petitioner, with reference to the report of the committee, that properties Nos.E-148, 163A, 79A Sainik Farms, which according to the affidavit of Shri Chauhan were demolished, still existed at site. Out attention was drawn to the photographs taken by the committee of those properties. Similarly, it was pointed out that properties No. 49 and H-541, which according to the affidavit of Shri Sehrawat were demolished, still existed at site.

7. On going through the affidavits of Shri Sehrawat and Shri Chauhan filed on january 3,2001 and January 10, 2001, respectively, and report of the committee we were prima facie of the opinion that both Shri Chauhan and Shri Sehrawat had taken liberties with truth. Therefore, on January 24, 2001 we issued fresh

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notices to them to show cause why they should not be convicted and punish for contempt of court.

8. As already noted, Shri U.S. Chuhan in his affidavit dated January 10, 2001 stated that "demolition action was taken against unauthorised construction in Sainik Farms". The details of the properties were also given. The order dated January 24,2001 whereby Shri U.S. Chauhan and Shri R.S. Sehrawat were called upon to show cause why they should not be convicted and punished for contempt of court, referred to properties Nos. E-148, 163, 79A, 49 and H-541 with regard to which the report of the committee is that theses properties still exist despite the statements in their affidavits that they have been demolished. In the report of the committee several other properties have also been mentioned which still exist deposit the claims of the aforesaid contemners that they have been demolished. At this stage we will only confine our attention to the properties which have been mentioned in the order dated January 24, 2001. We will take stock of these properties one by one.

Properties No. E-148, 163A and 79A:

9. The report of the committee with regard to property No. E-148 is as follows:-

"Property No. E-148:

On the main gate, nameplate of one "Narula" was found. After entering the premises, we found that the property is standing as it is and no portion has been demolished.

The photographs and video CD have already been submitted by the Counsel for the Petitioner."

The photographs of the aforesaid property, which have been taken by the committee and appear at pages 273 and 274 of the court record, show that the property still exists.

10. It was argued by Mr. Sabharwal, learned senior counsel appearing for Shri Chauhan, that the use of the words "demolished"/"demolition" in the affidavit dated January 10, 2001 of his client did not imply demolition of the entire structure. What was meant was that the unauthorised consecutions were rendered incapable of utilisation by partial demolition undertaken by Shri Chauhan. In other words, the structures were pulled down to such an extent that they were rendered incapable of being occupied for the purposes of human habitation. This stand has been taken in the affidavit of Shri Chauhan filed on February 2, 2001 in reply to the showcase notice issued to him on January 24, 2001. We are not convinced with the Explanation given by Shri Chauhan in his affidavit or on his behalf by Mr. Sabharwal. It is stated in the affidavit filed by Shri Chauhan on January 10, 2001 that the unauthorised construction in respect of properties mentioned therein were demolished. It needs to be noted that it is not claimed that any portion of the properties mentioned in the above affidavit of Shri Chauhan were authorised. Infact there is no dispute that the properties

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mentioned in the said affidavit in their entirety were illegally constructed. At this stage it will be convenient to again set out the relevant part of the affidavit of Shri Chauhan. The affidavit reads as follows:-

"It is pertinent to mentioned herein that the unauthorised constructions at the above mentioned properties have been demolished.Besides, unauthorised constructions notice(d) in Sainik Farm area has been taken during my tenure as Jr. Engineer (Bldg.)/Sainik Farm, New Delhi, the details whereof are given below:-

XX XX XX"

The affidavit does not state that the properties including property No. E-148 were partially demolished. It is significant to point out that the aforesaid affidavit of Shri Chauhan gives date of demolition of E-148 as November 13, 2000A. After the show cause notice was issued Shri Chauhan started signing a different tune. it appears to us that the statement made by Shri Chauhan in his affidavit filed on January 10, 2001 was meant to mislead us for the purpose of deflecting the course of justice. Shri Chauhan wanted to create an impression that the property had been demolished. Since the committee found that property No. E-148 to be intact and produced photographs of the same, Shri Chauhan changed his stance and filed an affidavit on February 2, 2001.According to this affidavit only partial demolition was carried out. This admission on the part of Shri Chauhan is also reflected from the photographs filed by him and placed at page 304 of the court record which show that while the property was under construction perfunctory action was taken against the property leaving the major portion intact. After puncturing some of the walls and certain other areas of the property the same was allowed to be built. The photographs of the property taken by the Committee and placed at pages 273 and 274 of the court record belied the stand taken by Shri Sehrawat took the stand in his affidavit of January 3, 2001 that the property was razed to the ground on June 2, 2000(see para 22 at page 114 of the court record). While both Shri Chauhan and Shri Sehrawat claim to have demolished the property on separate dates, the same still exists.

11. It also appears to us after looking to the report of the committee and the photographs taken by it, which appear at pages 275 and 276 of the court record, that in property No. 163A some portion of the roof was punctured and the rest of the property was left Intact. But the averments made in the affidavit of Shri Chauhan filed on January 10, 2001 create an impression that the property was fully demolished.

12. In so far as property No. 79A is concerned, the committee in its report stated as follows:-

"Property No. 79A:

Two property of 79A number have been mentioned in the report of the Junior Engineer. We could locate on property bearing No. 79A. One Mr. R.K. Arora was found there he told that he is living in this property for the last 6-7 years. Only

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cosmetic demolition of the property without touching the main structure."

When the correct stare of affairs came to light from the report of the committee Shri Chauhan for the first time in his affidavit filed on February 2, 2001 talks of partial demolition of the property. In the earlier affidavit filed on January 10, 2001 such a stand was not taken. Shri Chauhan filed the photographs appearing at pages 307 and 308 of the court record of property No. 79A along with his affidavit filed on February 2, 2001.It appears that some portions of the property were pulled down or punctured. Ultimately, the property was allowed to come up.A question arises as to why after partial demolition the properties were allowed to be fully constructed? Whether partial demolition was being undertaken to give a single to the concerned patty to dance to the tune of the M.C.D. officials? These questions assume significance as we find that unauthorised constructions have come up in the area in a big way. If the M.C.D. officers were performing their functions and duties, such state of affairs would not have into existence.

Re: properties No. 49 and H-541:

13. Shri Sehrawat in his affidavit filed on January 3, 2001 categorically stated that he undertook fourteen major demolition actions in Sainik Farms. In these demolition actions, fourteen constructions were razed to the ground. These assertions, as already noted, have been made in para 22 of the aforesaid affidavit.

14. In the course of arguments Mr. Pradeep Nandrajog, learned counsel for Shri Sehawat, took the same line of argument as the one taken by Mr. Sabharwal in regard to the word `demolition''. The affidavit of Shri Sehrawat clearly shows that the constructions were actually razed to the ground due to the demolition action undertaken by him. The properties with regard to which demolition action was taken by him are detailed in Annexure R-5/8.This annexure contains photographs of Property No. 49 Sainik Farms and Property No. H-541.The photographs of property No. 49 as filed by Shri Sehrawat appear at page 144 of court record. However, the report of the committee in regard to property No. 49 is as follows:-

"Property No. 49:

This Hon''ble Court directed the Committee to find out whether property No. 49 has been demolished or not. It was further directed by this Hon''ble Court to find out whether there were two houses bearing No. 49 out of which one has been demolished. The Committee could locate property No. 49A on which nameplate of Mrs. Pushpa Jain was found. It appears that the number of the property has been changed from 49 to 49A.The property No.49 also consists of number of houses but no house was found to be demolished but newly constructed property was only 49-A(49)."

In so far as this property is concerned, it appears to us that only a section of the

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property after demolition has been shown in the photographs placed on record by Shri Sehrawat. The committee, as already pointed out, has found property No. 49 to be Intact the photographs taken by the committee of the property in question appear at pages 262 and 263 of court record. Thus, the port of the committee gives lie to the stand of Shri Sehrawat pertaining to property No. 49.

15. In so far as property No. H-541 is concerned, the stand of Shri Sehrawat is the same as was with regard to property No. 49. He has filed at pages 151 and 152 of the court record photographs of demolition of property No. H-541 said to have been carried out by him. The committee inspected the property and took photographs of the same which appear at page 268 of court record. The photographs show that the stand of Shri Sehrawat is far from being ture. The property was not razed to the ground as is alleged by him. Shri Sehrawt also like Shri Chauhan took liberties with truth and filed false affidavit to defect the course of justice.

16. Both Shri Chauhan and Shri Sehrawat have deliberately and willfully made false statements in order to mislead us with a view to cover up their lapses. They wanted to show that they had complied with the directions of this Court. In doing so they disregarded truth.

17. It appears to us that filing of false affidavit before a court of law has the tendency to interfere with the administration of justice. The stream of justice must be allowed to flow free without being hindered or hampered. Otherwise the majesty and dignity of court will suffer. In Chandra Shashi Vs. Anil Kumar Verma, , similar views were expressed by the Supreme Court:-

" To enable the courts to ward off unjustified interference in their working, those who indulge in immoral acts like perjury, prevarication and motivated falsehoods have to be appropriately dealt with, without which it would not be possible for any court to administer justice in the true sense and to the satisfaction of those who approach it in the hope that truth would ultimately prevail. People would have faith in courts when they would find that ^^lR;eso t;rs** (truth alone triumphs) is an achievable aim there; or ^^;rkskeZLrrks t;** (it is virtue which ends in victory) is not only inscribed in emblem but really happens in the portals of courts.

The aforesaid thoughts received due support from the definition of criminal contempt as given in Section 2(c) of the Act, according to which an act would about be so if , inter alia, the same interferes or tends to interfere, or obstructs or tends to interfere, or obstructs or tends to obstruct the administration of justice. The word `interfere'', means in the context of the subject, any action which checks or hampers the functioning or hinders or tends to prevent the performance of duty, as stated at p. 255 of Words and Phrases (Permanent Edn.), Vol. 22. As per what has been stated in the aforesaid work at p. 147 of Vol. 29 obstruction of justice is to interpose obstacles or impediments, or to hinder, impede or in any manner interrupt or prevent the administration of

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justice. Now, if recourse to falsehood is taken with oblique motive, the same would definitely hider, hamper or impede even flow of justice and would prevent the courts from from performing their legal duties as they are supposed to do."

18. In Afzal and Another Vs. State of Haryana and Others, , it was observed inter alias that tendency to file false affidavits sand placing them as part of records of the court are matters of serious concern. Again in Afzal and another Vs. State of Haryana and others, , it was held that a false or misleading or a wrong statement deliberately and willfully made by a party to the proceedings to obtain favorable order will prejudice or interfere with the due course of judicial proceedings.

19. In Murray and Co. Vs. Ashok Kr. Newatia and Another, , the Supreme Court held as follows:-

"...It is not a mere denial of fact but a positive assertion and as such made with the definite intent to pass off a falsity and if possible to gain advantage. This practice of having a false statement incorporated in an affidavit filed before a court should always be deprecated and we do hereby record the same. The fact that the deponent has infact affirmed a false affidavit before this Court is rather serious in nature and he thereby rendered himself guilty of contempt of this Court as noticed hereinbefore..."

20. It has become a tendency to file false affidavits to seek a favorable order or to score an edge over the opposite party in litigation. Such a tendency needs to be curbed. A time has come where action must be taken against an up heaved who makes a false or misleading assertion, averment, statement in a n affidavit filed before a court of law. Any indulgence shown in such a matter is bound to adversely affect the administration of justice and will erode the confidence and faith of the society in the judicial system and the courts of law.

21. In view of the foregoing we are of the opinion that by filing false affidavits and taking liberties with truth in order to misleads us, S/Shri U.S. Chauhan and R.S. Sehrawat have committed contempt of court and the same is of such a nature that it tends to substantially interfere with the due course of justice. Accordingly, they are held guilty of committing contempt of court. In the circumstances, Therefore, S/Shri U.S. Chauhan and R.S. Sehrawat are sentenced to undergo simple imprisonment for a period of thirty days and to pay a fine of Rs.25,000/- each. The fine shall be paid within a period of one week failing which the aforesaid contemners shall undergo simple imprisonment for a period of one month each on that count. The order relating to substantive sentence shall be executed for a period of two weeks in order to enable the contemners to seek such remedy as may be available to them against the instant order.

22. A copy of this order be given to the learned counsel for the M.C.D. under the signature of the Court Master.

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