



CONTEMPT PETITION (CIVIL) NO OF 2026
(DIARY NO.21438/2026)
IN
SPECIAL LEAVE PETITION (C) NO.30588 OF 2025

J U D G M E N T

VIKRAM NATH, J.

1. The petitioner in the present contempt petition, namely Bharat Kumar Badlani, initiated contempt proceedings against the contemnors, being the Deputy Commissioner, Vigilance, Nagar Nigam Heritage, Jaipur, Rajasthan; the Director-cum-Special Secretary, Local Self Government Department, Jaipur, Rajasthan; and the Commissioner, Nagar Nigam Heritage, Jaipur, Rajasthan.
2. The petitioner alleged wilful disobedience and contempt of the interim order of this Court dated 30th January 2026, passed in I.A. No. 14401 of 2026 in SLP(C) No. 30588 of 2025. By virtue of that order, this Court had

directed the concerned authorities to open/de-seal the premises bearing House No. 74, Rajamal Ka Talab, Janta Market Road, Chowkdi Sarhad, Jaipur, and to restore possession thereof to the petitioner.

3. The pending batch of Special Leave Petitions before this Court arises from a Public Interest Litigation filed before the High Court of Rajasthan, Jaipur Bench, wherein allegations were made regarding unauthorised construction within the Walled City area of Jaipur. The High Court passed orders of demolition and permanent sealing of certain private properties, including that of the petitioner herein, without impleadment or an opportunity of hearing to the affected parties. Accordingly, several Special Leave Petitions were filed by persons whose properties were directed to be sealed. This Court issued notice and stayed the operation of the orders passed by the High Court. In the meanwhile, this Court has passed orders and directions for the de-sealing of certain properties.
4. Accordingly, this Court passed an order dated 30th January 2026 in I.A. No. 14401 of 2026 in SLP(C) No. 30588 of 2025, which is reproduced hereinbelow:

“IA No. 14401/2026 - In the interim order granted on 13.10.2025, we have stayed the effect and operation of the direction issued in paragraph nos. 9 and 10 of the impugned order. However by means of present application, it is submitted that in the meantime, the

premises of the applicant-Bharat Kumar Badlani has been sealed. As such, this Court may consider directing for desealing of the said premises, as directed in other connected case(s). We accordingly, dispose of the present application with a further direction that the authority concerned to open/de-seal the premises in question, i.e. House No. 74, Rajamal Ka Talab, Janta Market Road, Chowkdi Sarhad, Jaipur and restore possession thereof to the applicant.”

5. The petitioner submitted before this Court that he had filed a written representation dated 6th February 2026 before the Deputy Commissioner, Hawa Mahal-Amer Zone, Nagar Nigam Heritage, Jaipur, enclosing a copy of the order dated 30th January 2026 and seeking compliance therewith. The said representation was also sent by email dated 11th February 2026 to all concerned authorities. Despite the aforesaid, the respondent-authorities failed to comply with the directions of this Court and continued to keep the premises sealed.
6. Thereafter, the petitioner served a legal notice dated 12th March 2026 upon the respondent-authorities, by both post and email, calling upon them to forthwith comply with the order of this Court.
7. The petitioner, confronted with the persistent and wilful disobedience of the orders of this Court, was constrained to initiate the present contempt petition.
8. This Court passed an order dated 23rd April 2026, noting that the learned Additional Advocate General for the

State of Rajasthan sought 24 hours to obtain instructions in the matter.

9. Thereafter, this Court passed an order dated 24th April 2026, which is reproduced hereinbelow:

“We have heard learned counsel for the petitioner and Mr. Padmesh Mishra, learned AAG appearing for the respondent-State of Rajasthan.

We had granted 24 hours’ time to the respondent(s) to ensure compliance with the orders passed by this Court. Today Mr. Mishra, on instructions, has placed before us a communication dated 23rd April, 2026 issued by the Deputy Commissioner, Hawa Mahal-Amer Zone Municipal Corporation Jaipur Part-II.

Having perused the same, we deem it appropriate to direct the said officer described above, to remain present before this Court on Monday i.e. on 27th April, 2026 at 10.30 A.M. along with an explanation as to why the orders dated 30th October, 2025 and 30th January, 2026 have not been complied with. List the matters on 27th April, 2026”

10. This Court passed an order dated 27th April 2026, which is reproduced hereinbelow:

“Pursuant to order dated 24.04.2026, Ms. Seema Choudhary, Deputy Commissioner, Hawa Mahal-Amer Zone, Municipal Corporation, Jaipur Part-II, Jaipur, is present.

Mr. Padmesh Mishra, Learned Additional Advocate General for the State of Rajasthan, states that the property has already been de-sealed and possession has been handed over to the petitioner on Saturday, 25.04.2026. No affidavit has been filed by respondent no.1. We, therefore, direct her to file the following affidavits within a week from today:

- (i) An Affidavit of full compliance.**

(ii) An explanation for the delay caused in not complying with the order dated 30.01.2026.
(iii) It shall be optional for her to file apology.
Let this matter be listed again on 06.05.2026.
On the said date, respondent no.1 shall again remain present.”

11. Further, this Court notes with grave concern that simultaneously with the de-sealing of the premises on 25th April 2026, the Director, Directorate of Local Bodies, issued a communication dated 24th April 2026 demanding a sum of Rs. 10,52,832/- (Rupees ten lakh fifty two thousand eight hundred thirty two only) from the petitioner as a purported premium/security deposit. This Court views such a demand, made at the very moment of compliance with a judicial order directing restoration of possession, as wholly improper and bearing the character of a coercive and retaliatory act against the petitioner.
12. Thereafter, having perused the affidavit filed by the contemnor, this Court passed an order dated 6th May 2026, which is reproduced hereinbelow:

“Pursuant to the order dated 27.04.2026, an affidavit has been filed by the contemnor, Deputy Commissioner, Hawa Mahal-Amer Zone, Municipal Corporation, Jaipur Part-II, Jaipur.
On perusal of the said affidavit, the reason for the delay given is that the matter was taken up with the Director as also the Municipal Commissioner. However, the communications in that regard have not been placed on record.

Accordingly, let the entire trail of communications be placed on record by way of an affidavit of the Deputy Commissioner to be filed within a week from today. List this matter again on 18.05.2026. On the said date, the Deputy Commissioner shall again remain present.”

13. Further, on 18th May 2026, this Court passed an order in the following terms:

“We have examined the affidavit of compliance filed by the contemnor pursuant to the order dated 06.05.2026. We are prima facie satisfied that this is a fit case for framing of charge. List this matter on 21.05.2026. On the said date, the opposite party shall remain present for framing of charge”

14. On the last date of hearing, namely 21st May 2026, respondent-contemnors were present in-person, duly represented by Ms. Aishwarya Bhati, learned Additional Solicitor General, and Mr. Padmesh Mishra, learned Additional Advocate General, for the State of Rajasthan. The respondent-contemnors filed an unconditional apology before this Court. They also placed on record a communication dated 19th May 2026, by which the Director has withdrawn the earlier communication dated 24th April 2026 demanding Rs. 10,52,832/- (Rupees ten lakh fifty two thousand eight hundred thirty two only) from the petitioner.
15. At the very outset, this Court must place on record its grave and unequivocal displeasure at the conduct of the

respondent-contemnors. The record reveals a disturbing pattern of evasion, inaction, and deliberate disregard for clear and unambiguous orders of this Court. It is a matter of deep concern that officials entrusted with the discharge of public duties under the law found it permissible to treat the orders of the highest Court of this land as something to be addressed at their leisure, rather than with the promptitude and urgency that such directions imperatively demand.

16. Contempt of the orders of this Court strikes at the very foundation of the rule of law and the authority of the judiciary. When public functionaries, who are the custodians and executors of the law, defy judicial orders with impunity, it casts a deep and lasting shadow over the administration of justice and erodes the confidence of the citizens in the legal system.
17. This Court is compelled to note the sequence of events with dismay. The order directing de-sealing of the petitioner's property was passed as far back as 30th January 2026. Months elapsed without compliance. Despite the petitioner's written representation dated 6th February 2026, his follow-up email of 11th February 2026, and the legal notice dated 12th March 2026, there was inaction of the part of the respondent-authorities. It was only upon the initiation of the present contempt

petition, and thereafter, upon this Court granting a 24 hours on 23rd April 2026 to ensure compliance, that the machinery was finally set in motion. The property was de-sealed on 25th April 2026, which is nearly three months after the direction was issued. The Director-cum-Special Secretary accorded post-facto approval only on 26th April 2026, which itself a telling commentary on the administrative approach adopted throughout these proceedings. Upon examination of the entire trail of communications placed before us, this Court was prima facie satisfied that charges ought to be framed which is a finding recorded in the order dated 18th May 2026.

18. However, this Court is also mindful that the power to punish for contempt, though wide, must be exercised with restraint, discretion, and a regard for the ends of justice. Punishment in contempt proceedings is not an end in itself; it is a means to secure compliance, to uphold the dignity of the Court, and to serve as a deterrent to those who may seek to treat judicial orders with levity.
19. We are cognisant of the fact that the respondent-contemnors, the Deputy Commissioner, Ms. Seema Choudhary; the Director-cum-Special Secretary, Mr Juikar Pratik Chandrashekhar; and the Commissioner,

Mr. Om Prakash Kasera, have each tendered unconditional affidavits of apology before this Court for the delay in complying with its orders. In their affidavits, the contemnors have acknowledged the gravity of their default, expressed sincere regret for the inconvenience caused to the petitioner as a result of their inaction, and solemnly assured this Court that greater diligence and care shall be exercised henceforth in complying with the orders and directions issued by this Court and other courts of competent jurisdiction. The contemnors have further submitted that the communication dated 24th April 2026 issued by the Director, Directorate of Local Bodies, demanding a sum of Rs. 10,52,832/- (Rupees ten lakh fifty two thousand eight hundred thirty two only) from the petitioner as a purported premium/security, has since been withdrawn, and have tendered an unqualified apology to this Court for the issuance of such a demand, acknowledging that it was wholly improper and ought never to have been made.

20. This Court accepts the unconditional apology tendered by the contemnors. The acceptance of the apology, however, must not be understood as a minimisation of the conduct that gave rise to these proceedings. The contemnors are put on clear and unambiguous notice that any future default or negligence in the face of

judicial orders , whether of this Court or of any other court, shall be viewed with the utmost severity and shall not be treated with the same degree of indulgence.

21. In view of the foregoing, and in light of the unconditional apologies tendered by the contemnors as well as the fact that compliance with the order of de-sealing has now been effected, we accept the apology and discharge the present contempt notice.
22. The contempt petition stands disposed of accordingly and be consigned to record.
23. It is made clear that the observations made herein are confined to the present contempt petition and shall not have any bearing on the merits of the main special leave petition, which remains pending for hearing.

.....J.
[VIKRAM NATH]

.....J.
[SANDEEP MEHTA]

NEW DELHI
MAY 29, 2026