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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 10th February, 2026

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+ CONT.APP.(C) 7/2026 & CM APPL. 8948/2026

DALBIR SINGH YADAV & ORS.Appellants

Through: Mr. Chandra Shekhar Yadav, Adv.
versus

RAJDARBAR HERITAGE VENTURES LTDRespondent

Through: Mr. Rajshekhar Rao, Sr. Adv. with Mr.
Ayush Aggarwal, Mr. Akshat Tiwari,
Ms. Jaikriti S Jadeja, Mr. Mayank
Sharma, Advs.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE MADHU JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.
2. The present appeal has been filed by the Appellants under Section 19 of the Contempt of Courts Act, 1971, *inter alia*, assailing the impugned order dated 14th January, 2026 passed by the ld. Single Judge in **CONT.CAS(C) No. 1822/2025** titled '**Rajdarbar Heritage Venture Ltd. v. Dalbir Singh Yadav**' (hereinafter, 'impugned order').
3. The background of the present case is that, an arbitration petition being **O.M.P. (I) (Comm.) NO. 335/ 2024** under Section 9 of the Arbitration and Conciliation Act, 1996 (hereinafter, 'the Arbitration Act') was filed by the Respondent before the ld. Single Judge. The same was based upon the 'Collaboration Agreement' dated NIL of 2001. Vide order dated 30th September, 2024 (hereinafter, 'the status quo order') the ld. Single judge had



directed as under:

“12. In the meantime, status quo shall be maintained by the parties as regards title and possession of the land forming part of the Collaboration Agreement. It is made clear that this order shall not affect the rights of the acquiring authority and/ or affect any other pending legal proceeding qua the acquisition of the land in question”.

4. Pursuant thereto, the Respondent had also filed **ARB.P. No. 64/2025** under Section 11 of the Arbitration Act before the 1d. Single Judge. *Vide* order dated 10th October, 2025 the 1d. Single Judge had appointed an arbitrator in the matter.

5. On the same day *i.e.*, 10th October, 2025, *vide* a separate order in **O.M.P. (I) (Comm.) NO. 335/ 2024**, 1d. Single Judge had considered the petition under Section 9 of the Arbitration Act and directed that the status quo order dated 30th September, 2024 shall continue, till varied, modified or upheld by the arbitrator.

6. Thereafter, the Appellants challenged the order dated 10th October, 2025 in **ARB.P. No. 64/2025**, appointing the arbitrator, before the Supreme Court. In **SLP (C) No. 36941/2025** titled, ***Dalbir Singh Yadav & Ors. v. Rajdarbar Heritage Ventures Ltd.*** the order dated 16th January, 2026 was passed by the Supreme Court. The said order reads as under:

“1. Application for exemption from filing Certified Copy of the Impugned judgment is allowed.

2. Issue notice.

3. Ms. Jaikriti S. Jadeja, learned counsel accepts notice on behalf of the respondent.



4. *Counter affidavit be filed within four weeks. Rejoinder thereto, if any, be filed within two weeks thereafter.*
5. *In the meantime, operation of the impugned order shall remain stayed.*
6. *List after six weeks.”*

7. In terms of the above order, the arbitral proceedings have been stayed.

8. However, the status quo order dated 30th September, 2024 continues to operate. The Respondent filed **CONT.CAS(C) No. 1822/2025** on the ground that status quo order dated 30th September, 2024 and order dated 10th October, 2025 in **O.M.P. (I) (Comm.) NO. 335/ 2024** was violated by the Appellants. In the said contempt case, *vide* order dated 14th January, 2026, the ld. Single Judge directed as under:

“1. Learned senior counsel for the petitioner submits that in violation of the directions contained in the order dated 30.09.2024 and 10.10.2025 passed in OMP (I)(COMM) 335/2024, the respondents have disrupted the status quo in respect of the land in question. He draws attention to certain photographs to substantiate that certain third parties who were not in occupation of the premises at the time of filing of the aforementioned petition have now been inducted into the subject property.

2. In the above circumstances, let the respondent furnish details of the tenants / occupants inducted into the property by the respondent, together with details of rent being collected by the respondent along with copies of relevant rent agreement and also disclosing the dates with effect from which the rent/ user charges are being collected by the respondent.

3. Let the same be filed within a period of two weeks



from today.

4. List on 13.04.2026.”

9. It is this order dated 14th January, 2026 which is under challenge in the present appeal.

10. Mr. Chandrashekhar, ld. Counsel appearing on behalf of the Appellants has made the following submissions:

(i) On the same date *i.e.*, 10th October, 2025 orders in **O.M.P. (I) (Comm.) NO. 335/ 2024** and in **ARB.P. No. 64/2025** were passed. The order under Section 11, appointing the Arbitrator has been stayed by the Supreme Court. Therefore, *vide* the impugned order ld. Single Judge could not have proceeded in the **CONT.CAS(C) No. 1822/2025** based on the order passed under Section 9 of the Arbitration Act.

(ii) Further, it is submitted that in the **CONT.CAS(C) No. 1822/2025** ld. Single Judge is now embarking on a fishing or roving enquiry which would not be permissible.

(iii) On maintainability of the present appeal, ld. Counsel relies upon the following decisions:

i. Ajay Kumar Bhalla & Ors. v. Prakash Kumar Dixit (2024) 12 SCC 159

ii. Tamilnad Mercantile Bank Shareholders Welfare Association v. S.C. Sekar and Others. (2009) 2 SCC 784

iii. Suhas L.Y., District Magistrate v. Taulan Singh 2018 SCC Online ALL 6741

(iv) It is also submitted that in land acquisition proceedings, the Appellants' possession of the land has been protected by the Supreme Court in parallel proceedings, though, the same is not connected with the Respondent's



petition.

11. Mr. Rajshekhar Rao, ld. Senior Counsel appearing on behalf of the Respondent submits that the present appeal is not maintainable, considering the settled legal position in *Midnapore Peoples' Coop. Bank ltd. v. Chunilal Nanda (2006) 5 SCC 399*. It is submitted that the said legal position has been followed in *Ajay Kumar Bhalla (Supra)* and other decisions as well. Reliance is also placed upon the judgement of this Court in *CONT.APP.(C) 23/2025* titled '*R.K. Sharma v. Amardeep Singh*'.

12. It is further submitted by ld. Sr. Counsel for the Respondent that the Appellant is in gross contempt by violating status quo order dated 30th September, 2024, without challenging the same.

13. Heard. The Court has considered the matter. The short question is whether the impugned order dated 14th January, 2026 directing the Appellant to file certain details of tenants and occupants is appealable under Section 19 of the Contempt of Courts Act, 1971 or not.

14. Section 19 of the Contempt of Courts Act, 1971 reads as under:

"19. Appeals.—(1) An appeal shall lie as of right from any order or decision of the High Court in the exercise of its jurisdiction to punish for contempt— (a) where the order or decision is that of a single judge, to a Bench of not less than two judges of the Court;
(b) where the order or decision is that of a Bench, to the Supreme Court:
Provided that where the order or decision is that of the Court of the Judicial Commissioner in any Union territory, such appeal shall lie to the Supreme Court.
(2) Pending any appeal, the appellate Court may order that—



(a) the execution of the punishment or order appealed against be suspended; (b) if the appellant is in confinement, he be released on bail; and
(c) the appeal be heard notwithstanding that the appellant has not purged his contempt.

(3) Where any person aggrieved by any order against which an appeal may be filed satisfies the High Court that he intends to prefer an appeal, the High Court may also exercise all or any of the powers conferred by sub-section (2).

(4) An appeal under sub-section (1) shall be filed—
(a) in the case of an appeal to a Bench of the High Court, within thirty days; (b) in the case of an appeal to the Supreme Court, within sixty days, from the date of the order appealed against.”

15. The law on the aspect of maintainability of an appeal against orders passed in contempt petitions is well settled. The Supreme Court in **Midnapore Peoples' Coop. Bank Ltd. (Supra)** has held that appeals under Section 19 of the Contempt of Courts Act, 1971 would be maintainable only against an order imposing punishment for contempt. The relevant portion of the said decision reads as under:

“10. Section 19 of the Contempt of Courts Act, 1971 (“the CC Act” for short) provides for appeals. Relevant portion of sub-section (1) thereof is extracted below:

“19. (1) An appeal shall lie as of right from any order or decision of the High Court in the exercise of its jurisdiction to punish for contempt—

(a) where the order or decision is that of a Single Judge, to a Bench of not less than two Judges of the Court;
(b) where the order or decision is that of a Bench, to the Supreme Court:”

The scope of Section 19 has been considered by this



Court in Baradakanta Mishra v. Justice Gatikrushna Misra [(1975) 3 SCC 535 : 1975 SCC (Cri) 99 : AIR 1974 SC 2255] , Purshotam Dass Goel v. Justice B.S. Dhillon [(1978) 2 SCC 370 : 1978 SCC (Cri) 195 : AIR 1978 SC 1014] , Union of India v. Mario Cabral e Sa [(1982) 3 SCC 262 : 1983 SCC (Cri) 10 : AIR 1982 SC 691] , D.N. Taneja v. Bhajan Lal [(1988) 3 SCC 26 : 1988 SCC (Cri) 546] , State of Maharashtra v. Mahboob S. Allibhoy [(1996) 4 SCC 411 : 1996 SCC (Cri) 675] and J.S. Parihar v. Ganpat Duggar [(1996) 6 SCC 291 : 1996 SCC (L&S) 1422] . These cases dealt with orders refusing to initiate contempt proceedings or initiating contempt proceedings or acquitting/exonerating the contemnor or dropping the proceedings for contempt. In all these cases, it was held that an appeal was not maintainable under Section 19 of the CC Act as the said section only provided for an appeal in respect of orders punishing for contempt.

10.1. *In Baradakanta Mishra [(1975) 3 SCC 535 : 1975 SCC (Cri) 99 : AIR 1974 SC 2255] a three-Judge Bench of this Court held that an order declining to initiate a proceeding for contempt amounts to refusal to assume or exercise jurisdiction to punish for contempt and, therefore, such a decision cannot be regarded as a decision in the exercise of its jurisdiction to punish for contempt. The question as to whether an appeal would be maintainable under Section 19 where the court initiates a proceeding for contempt but after due consideration and hearing finds the alleged contemnor not guilty of contempt, or having found him guilty declines to punish him, was left open.*

10.2. *In Purshotam Dass Goel [(1978) 2 SCC 370 : 1978 SCC (Cri) 195 : AIR 1978 SC 1014] certain aspects of Section 19 were left open. This relevant portion is extracted below: (SCC pp. 371-72, para 3)*

“The [contempt] proceeding is initiated under Section 17 by issuance of a notice. Thereafter, there



*may be many interlocutory orders passed in the said proceeding by the High Court. It could not be the intention of the legislature to provide for an appeal to this Court as a matter of right from each and every such order made by the High Court. The order or the decision must be such that it decides some bone of contention raised before the High Court affecting the right of the party aggrieved. Mere initiation of a proceeding for contempt by the issuance of the notice on the *prima facie* view that the case is a fit one for drawing up the proceeding, does not decide any question. ... It is neither possible, nor advisable, to make an exhaustive list of the type of orders which may be appealable to this Court under Section 19. A final order, surely, will be appealable.*

If the alleged contemnor in response to the notice appears before the High Court and asks it to drop the proceeding on the ground of its being barred under Section 20 of the Act but the High Court holds that the proceeding is not barred, it may well be that an appeal would lie to this Court under Section 19 from such an order although the proceeding has remained pending in the High Court. We are not called upon to express our final opinion in regard to such an order, but we merely mention this type of order by way of an example to show that even orders made at some intermediate stage in the proceeding may be appealable under Section 19."

10.3. While Baradakanta Mishra [(1975) 3 SCC 535 : 1975 SCC (Cri) 99 : AIR 1974 SC 2255] and Purshotam Dass [(1978) 2 SCC 370 : 1978 SCC (Cri) 195 : AIR 1978 SC 1014] left open the question whether an appeal under Section 19 would be maintainable in certain areas, in D.N. Taneja [(1988) 3 SCC 26 : 1988 SCC (Cri) 546] a three-Judge Bench of this Court categorically held that appeals under Section 19 would



lie only against the orders punishing the contemnor for contempt and not any other order passed in contempt proceedings. We extract below the relevant portions from the said decision: (SCC pp. 29-32, paras 8, 10 & 12)

"The right of appeal will be available under subsection (1) of Section 19 only against any decision or order of a High Court passed in the exercise of its jurisdiction to punish for contempt. ... When the High Court does not impose any punishment on the alleged contemnor, the High Court does not exercise its jurisdiction or power to punish for contempt. The jurisdiction of the High Court is to punish. When no punishment is imposed by the High Court, it is difficult to say that the High Court has exercised its jurisdiction or power as conferred on it by Article 215 of the Constitution.

It is true that in considering a question whether the alleged contemnor is guilty of contempt or not, the court hears the parties and considers the materials produced before it and, if necessary, examines witnesses and, thereafter, passes an order either acquitting or punishing him for contempt. When the High Court acquits the contemnor, the High Court does not exercise its jurisdiction for contempt, for such exercise will mean that the High Court should act in a particular manner, that is to say, by imposing punishment for contempt. So long as no punishment is imposed by the High Court, the High Court cannot be said to be exercising its jurisdiction or power to punish for contempt under Article 215 of the Constitution.

The aggrieved party under Section 19(1) can only be the contemnor who has been punished for contempt of court."

(emphasis supplied)



10.4. *In Mahboob S. Allibhoy [(1996) 4 SCC 411 : 1996 SCC (Cri) 675] this Court reiterated the above position thus: (SCC p. 414, para 3)*

“On a plain reading Section 19 provides that an appeal shall lie as of right from any order or decision of the High Court in exercise of its jurisdiction to punish for contempt. In other words, if the High Court passes an order in exercise of its jurisdiction to punish any person for contempt of court, then only an appeal shall be maintainable under sub-section (1) of Section 19 of the Act. As sub-section (1) of Section 19 provides that an appeal shall lie as of right from any order, an impression is created that an appeal has been provided under the said sub-section against any order passed by the High Court while exercising the jurisdiction of contempt proceedings. The words ‘any order’ have to be read with the expression ‘decision’ used in the said sub-section which the High Court passes in exercise of its jurisdiction to punish for contempt. ‘Any order’ is not independent of the expression ‘decision’. They have been put in an alternative form saying ‘order’ or ‘decision’. In either case, it must be in the nature of punishment for contempt. If the expression ‘any order’ is read independently of the ‘decision’ then an appeal shall lie under sub-section (1) of Section 19 even against any interlocutory order passed in a proceeding for contempt by the High Court which shall lead to a ridiculous result.”

10.5. *J.S. Parihar v. Ganpat Duggar [(1996) 6 SCC 291 : 1996 SCC (L&S) 1422] is nearest to this case, on facts. A contempt petition was filed alleging that the seniority list drawn pursuant to the order of the High Court was not in conformity with the said order. The High Court found it to be so, but held that the disobedience was not wilful and, therefore, did not punish for contempt. But*



the High Court gave a direction to redraw the seniority list. The State Government challenged the said direction in an intra-court appeal. The Division Bench held that the appeal was not maintainable under Section 19 of the CC Act, but was maintainable as an intra-court appeal as the direction issued by the Single Judge would be a “judgment” within the meaning of that expression in Section 18 of the Rajasthan High Court Ordinance. Accordingly, the Division Bench set aside the direction of the learned Single Judge to redo the list. The said order was challenged before this Court. This Court confirmed the decision of the Division Bench and held as follows: (SCC pp. 293-94, paras 5 & 6)

“Therefore, an appeal would lie under Section 19 when an order in exercise of the jurisdiction of the High Court punishing the contemnor has been passed. In this case, the finding was that the respondents had not wilfully disobeyed the order. So, there is no order punishing the respondent for violation of the orders of the High Court. Accordingly, an appeal under Section 19 would not lie.

The question is whether seniority list is open to review in the contempt proceedings to find out whether it is in conformity with the directions issued by the earlier Benches. It is seen that once there is an order passed by the Government on the basis of the directions issued by the court, there arises a fresh cause of action to seek redressal in an appropriate forum. The preparation of the seniority list may be wrong or may be right or may or may not be in conformity with the directions. But that would be a fresh cause of action for the aggrieved party to avail of the opportunity of judicial review. But that cannot be considered to be the wilful violation of the order. After re-exercising the judicial review in contempt proceedings, a fresh direction by the learned Single



Judge cannot be given to redraw the seniority list. In other words, the learned Judge was exercising the jurisdiction to consider the matter on merits in the contempt proceedings. It would not be permissible....”

11. The position emerging from these decisions, in regard to appeals against orders in contempt proceedings may be summarised thus:

I. An appeal under Section 19 is maintainable only against an order or decision of the High Court passed in exercise of its jurisdiction to punish for contempt, that is, an order imposing punishment for contempt.

II. Neither an order declining to initiate proceedings for contempt, nor an order initiating proceedings for contempt nor an order dropping the proceedings for contempt nor an order acquitting or exonerating the contemnor, is appealable under Section 19 of the CC Act. In special circumstances, they may be open to challenge under Article 136 of the Constitution.

III. In a proceeding for contempt, the High Court can decide whether any contempt of court has been committed, and if so, what should be the punishment and matters incidental thereto. In such a proceeding, it is not appropriate to adjudicate or decide any issue relating to the merits of the dispute between the parties.

IV. Any direction issued or decision made by the High Court on the merits of a dispute between the parties, will not be in the exercise of “jurisdiction to punish for contempt” and, therefore, not appealable under Section 19 of the CC Act. The only exception is where such direction or decision is incidental to or inextricably connected with the order punishing for contempt, in which event the appeal under Section 19 of the Act, can also encompass the incidental or inextricably connected directions.

V. If the High Court, for whatsoever reason, decides



an issue or makes any direction, relating to the merits of the dispute between the parties, in a contempt proceedings, the aggrieved person is not without remedy. Such an order is open to challenge in an intra-court appeal (if the order was of a learned Single Judge and there is a provision for an intra-court appeal), or by seeking special leave to appeal under Article 136 of the Constitution of India (in other cases).

The first point is answered accordingly.”

16. The aforesaid position has been reiterated by the Supreme Court in *Ajay Kumar Bhalla (Supra)*. After quoting *Midnapore Peoples' Coop. Bank Ltd. (Supra)* the Court has held as under:

“12. ***Following the decision in Midnapore Peoples' Coop. Bank, it is a settled principle that an appeal under Section 19 lies only against an order imposing punishment for contempt.***

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14. *The Single Judge, after recording the submissions as adverted to above, entered a specific finding in SCC OnLine Del para 64 that “this Court is therefore, of the opinion that there is wilful disobedience” (emphasis supplied). The above finding follows immediately upon the previous paragraph of the order which records the contention of the respondent herein that he was entitled to promotion to the rank of IG, in any event with effect from 2021.*

15. *Bearing in mind the above finding, the Single Judge gave an opportunity to the appellants “to issue a fresh order granting promotion to the petitioner to the rank of IG” to bring him on a par with his immediate junior. Reading the entirety of the order of the Single Judge, it is clear that besides holding that the appellants (who were the*



respondents before the Single Judge) were guilty of contempt of court, there is a crystallised finding that the respondent herein was entitled to promotion as IG, in any event with effect from 2021.

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17. The judgment of the Division Bench lost sight of the fact that whether the appeal was maintainable would have to be construed on a plain reading of the judgment of the Single Judge. Two aspects were covered by the judgment of the Single Judge:

- (i) Firstly, a finding that the appellants were guilty of contempt of the order dated 24-12-2019; and*
- (ii) Secondly, that the respondent was entitled to promotion to the rank of IG.*

The first aspect is not amenable to an appeal under Section 19 at the present stage. The finding that the respondent was entitled to promotion to the rank of IG would be amenable to an appeal in terms of the law laid down by this Court in Midnapore Peoples' Coop. Bank, more particularly in para 11(V) which has been extracted above.”

17. The judgment of the Supreme Court in ***Tamilnad Mercantile Bank Shareholders Welfare Association (Supra)*** would also not be of any assistance to the Appellant. In the said judgment, the Court holds that against a Show Cause Notice issued *qua* contempt, an appeal may have been maintainable. However even in the said case, the Court further holds that the contempt proceedings have been initiated only against the bank and the appeal is not maintainable as is clear from the following observations:

“39. We may repeat that it may be a different matter if the court while passing an order decided some disputes raised before it by the contemnor asking it



to drop the proceedings on one ground or the other. Thus, in a given situation, an appeal would be maintainable even against a notice to show cause. Here even such a notice has not been issued and thus the question of satisfying the court by showing cause that the respondent contemnors had not committed any contempt did not arise. Allegations had not been made against the Chairman of the meeting. The contempt proceedings had been initiated only against the Managing Director of the Bank.”

18. Insofar as the decision by the Allahabad High Court in *Suhas L.Y., District Magistrate (Supra)* is concerned, certain findings were rendered by the ld. Single Judge and a personal affidavit was also directed in which case, the Court held that the appeal is maintainable.

19. In the present appeal, the impugned order dated 14th January, 2026 is passed in the facts and circumstances, to verify as to whether there has been any violation of the status quo order dated 30th September, 2024 or not.

20. The allegation by the Respondent that the impugned order extends beyond and considers new shops beyond what is pleaded in the contempt petition, may not be correct. The impugned order clearly records that ***relevant rent agreements*** have to be shown and not all agreements. Clearly, this would relate to the new shops in respect of which the allegation has been made in the contempt petition by the Respondent.

21. Pertinently, there is no finding rendered by the ld. Single Judge in the impugned order. There is also no direction for punishment for contempt or even a show cause notice for contempt.

22. The ld. Single Judge is yet to even come to a *prima facie* conclusion, as to whether there has been any violation of the status quo order dated 30th



September, 2024. In order to ascertain the same, the ld. Single Judge has called for certain documents and details. The impugned order cannot, by any stretch of imagination be held to be an order punishing the Appellant for contempt or even adversely affecting the Appellant.

23. Under these circumstances, in the opinion of this Court, the present appeal against the impugned order dated 14th January, 2026 would not be maintainable.

24. At this stage, ld. Counsel for the Appellant submits that an appeal has been filed challenging the order dated 10th October, 2025 in **O.M.P. (I) (Comm.) NO. 335/ 2024**.

25. The Appellant is clearly within its own rights to challenge order dated 10th October, 2025 in **O.M.P. (I) (Comm.) NO. 335/ 2024** on merits, which the Appellant is stated to have done. Accordingly, the order in the present appeal would not have any bearing on the said appeal.

26. The present appeal is accordingly dismissed as being not maintainable.

27. This Court has not considered the merits of the matter.

28. All rights and contentions of the parties are left open.

**PRATHIBA M. SINGH
JUDGE**

**MADHU JAIN
JUDGE**

FEBRUARY 10, 2026/ys/sm