



2025:DHC:5542



\$~61, 63, 69 & 70

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

% **Date of Decision: 11th July, 2025**

61

+ W.P.(C) 9578/2025 & CM APPL. 40321/2025

SHAGUFTA FEROZ AND ANR

.....Petitioners

Through: Mr. Himal Akhtar, Mr. Juned Salmani, Miss Rehana and Ms. Mansi Bidhuri, Advs.
Mob: 7668568906, 9810456889
Email: legumlawfirm@gmail.com

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Anuj Gupta, Adv.
Mob: 9834814477

63

+ W.P.(C) 9593/2025 & CM APPL. 40346/2025

SHAGUFTA FEROZ AND ANR

.....Petitioners

Through: Mr. Himal Akhtar, Mr. Juned Salmani, Miss Rehana and Ms. Mansi Bidhuri, Advs.
Mob: 7668568906, 9810456889
Email: legumlawfirm@gmail.com

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Anuj Gupta, Adv.
Mob: 9834814477

69



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+ W.P.(C) 9627/2025 & CM APPL. 40398/2025

HEENA ALEEM

.....Petitioner

Through: Mr. Himal Akhtar, Mr. Juned Salmani, Miss Rehana and Ms. Mansi Bidhuri, Advs.

Mob: 7668568906, 9810456889

Email: legumlawfirm@gmail.com

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Anuj Gupta, Adv.

Mob: 9834814477

70

+ W.P.(C) 9629/2025 & CM APPL. 40399/2025

SHAGUFTA FEROZ

.....Petitioner

Through: Mr. Himal Akhtar, Mr. Juned Salmani, Miss Rehana and Ms. Mansi Bidhuri, Advs.

Mob: 7668568906, 9810456889

Email: legumlawfirm@gmail.com

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Anuj Gupta, Adv.

Mob: 9834814477

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J (ORAL):

1. The present writ petitions have been filed seeking direction to the respondent - Municipal Corporation of Delhi ("MCD"), to de-seal different



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portions belonging to the petitioners, being part of the property bearing *no. F-16, Preet Vihar, Delhi-110092* (“*subject property*”).

2. Learned counsel appearing for the petitioners submits that the action of sealing four portions of the subject property has been undertaken by the respondent - MCD, without issuing any Show Cause Notice, and without granting any opportunity of being heard to the petitioners.

3. Thus, he submits that, without issuance of any Show Cause Notice or without granting any opportunity of hearing to the petitioners, the action of sealing undertaken by the MCD, is not proper.

4. He further submits that the Sealing Order dated 29th May, 2025, issued by the MCD, was pasted outside the subject property on 02nd June, 2025. Thereafter, one portion of the property was sealed on 02nd June, 2025 itself, while the other three portions of the subject property were sealed subsequently on 16th June, 2025. Thus, the present writ petition came to be filed.

5. Learned counsel appearing for the petitioners further submits that the requisite conversion charges have already been paid by the petitioners. Therefore, the activity being carried out by the petitioners in the subject property was as per the law.

6. Issue notice. Notice is accepted by learned counsel appearing for respondent – MCD.

7. Learned counsel appearing for the respondent – MCD submits that the requisite Show Cause Notices were issued to the petitioners before sealing action was undertaken. He submits that the Show Cause Notices which were



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dated 16th May, 2025, were sent through Speed Post and were served upon the petitioners on 21st May, 2025. He further submits that no reply to the said Show Cause Notices was submitted by the petitioners. Therefore, the respondent was constrained to take action against the petitioner.

8. Copies of the Show Cause Notices along with their tracking reports have been provided by the respondent – MCD and the same are taken on record.

9. Learned counsel appearing for the respondent – MCD has further handed over certain photographs to show that a coaching institute was being run from the subject property. He, thus, submits that there was misuse of the subject property, on account of which, requisite action has been taken by the MCD.

10. Learned counsel for the MCD further submits that portions of the subject property at two places, have already been de-sealed temporarily, and the tenants therein, have undertaken that they shall vacate the subject property.

11. Responding to the aforesaid submissions made by learned counsel appearing for the respondent, learned counsel appearing for the petitioners submits that there were four tenants in the subject property and that three out of the four tenants are already in the process of leaving the tenanted premises in question. He confirms the fact that the premises have been temporarily de-sealed by the respondent–MCD, to facilitate removal of goods by the tenants.

12. Learned counsel appearing for the petitioners further undertakes that



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no misuse in the subject property shall be carried out by the petitioners. Any activity carried out by the petitioner in the subject property shall be after obtaining due permission and licenses from the MCD and other concerned authorities, wherever needed. He further submits that the premises in question shall be used as per law.

13. Learned counsel appearing for the petitioners further submits that now only one tenant remains in the subject property, who carries on the business of career counselling services, with no classroom coaching as such. It is submitted that only counselling services are being provided through online mode. Thus, learned counsel appearing for the petitioners submits that the said services can be allowed.

14. Considering the submissions made before this Court, it is directed that the petitioners shall use the subject property as per the use, which is permissible under the Master Plan for Delhi, 2021 and in accordance with law. In case, any permission or license is required for carrying out any activity from the premises in question, the same shall be obtained by the petitioners from the concerned authorities.

15. Accordingly, the petitioners are directed to submit an undertaking with the MCD that they shall use the subject property only in accordance with law, and carry out permitted activities only.

16. Let the said undertaking be filed by the petitioners with the MCD, within a period of two working days from today.

17. Upon the petitioners submitting such an undertaking, and complying with other directions of the MCD in that regard, including, payment of any



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requisite charges, the MCD is directed to de-seal the subject property of the petitioner within two days of the petitioner carrying out the necessary compliances.

18. Further, the petitioners are held to be bound by their undertaking before this Court that they shall use the subject property only as per the permissible activities, in accordance with law and after taking requisite permissions/licences from the concerned authorities, wherever required.

19. Accordingly, with the aforesaid directions, the present writ petitions, along with the pending applications, are disposed of.

MINI PUSHKARNA, J

JULY 11, 2025/SK