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

% **Date of decision: 12th September, 2025**

+ W.P.(C) 14117/2025 & CM APPL. 57977/2025, CM APPL. 57978/2025

V K MEHTA

.....Petitioner

Through: Mr. S.R. Mehta, Mr. Vikram Saini,
Advocates

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Kunal Rawat, Advocate for MCD
(M:9312012009)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J (ORAL):

1. The present writ petition has been filed seeking direction for quashing the Sealing Order dated 24th March, 2025.
2. It is submitted that the petitioner is the owner of *Third Floor upto sky of BP-13, Main Road, West Patel Nagar, New Delhi*.
3. A Show Cause Notice dated 30th January, 2025, was issued by the Deputy Commissioner, Municipal Corporation of Delhi ("MCD"), Karol Bagh Zone, against the said property.
4. It is submitted that on 11th February, 2025 the petitioner filed a representation to the respondent-MCD requesting to grant a personal appearance.
5. It is submitted that on 23rd May, 2025, the petitioner made a second representation to the respondent-MCD requesting to grant a personal



appearance. Upon getting no response from the respondent-MCD, on 30th May, 2025 petitioner met personally with the Deputy Commissioner, MCD, Karol Bagh Zone and handed over reply dated 29th May, 2025.

6. It is submitted that on 24th March, 2025, a Sealing Order was passed without giving an opportunity of being heard to the petitioner. The petitioner was neither served with nor any communication was made to the petitioner regarding the said Sealing Order.

7. It is submitted that petitioner received a Hearing Notice dated 11th June, 2025 issued by the Asstt. Engineer (Bldg.), MCD, Karol Bagh Zone, directing to appear for personal hearing on 19th June, 2025. However, on 19th June, 2025, the matter was adjourned to 24th June, 2025.

8. It is submitted that on 24th June, 2025, the petitioner appeared before the Deputy Commissioner, MCD and the petitioner was informed that the Sealing Order was passed inadvertently and that the said Sealing Order shall be revoked, as the same having been passed violating the principles of *Audi-Alteram-Partem*.

9. It is submitted that *vide* letter dated 19th August, 2025 issued by the Deputy Commissioner, MCD, Karol Bagh Zone, received by the petitioner on 22nd August, 2025, the petitioner came to know about the Sealing Order dated 24th March, 2025 having been passed. However, no Sealing Order has been provided to the petitioner till date.

10. Hence, the present writ petition has been filed.

11. Learned counsel for the petitioner submits that an appeal has already been filed on behalf of the petitioner before the Appellate Tribunal MCD (“ATMCD”), which is next listed for hearing on 17th September, 2025.

12. Issue notice. Notice is accepted by learned counsel appearing for the



respondent.

13. Learned counsel appearing for the respondent submits that the present is a pre-mature petition, since, the Sealing Order is yet to be served upon the petitioner.

14. However, learned counsel appearing for the petitioner submits that the premises of the petitioner shall be sealed, if interim protection is not granted.

15. Having heard learned counsels for the parties, this Court notes the submission of learned counsel for the petitioner that the petitioner has already filed an appeal before the ATMCD, against the sealing action to be taken by the MCD.

16. This Court further takes note of the submission of the petitioner that the present petition has been filed only on account of the fact that there is no Presiding Officer in the ATMCD.

17. Accordingly, considering the facts and circumstances of the present case, it is directed that no coercive action shall be taken against the petitioner, till the appeal of the petitioner is heard and considered by the ATMCD.

18. It is clarified that the aforesaid protection is being granted to the petitioner only as an interim measure, so that the appeal of the petitioner is heard and considered by the ATMCD.

19. In case on the next date of hearing before the ATMCD, i.e., 17th September, 2025, there is no Presiding Officer in the ATMCD, it is directed that within two weeks of the Presiding Officer of the ATMCD taking charge, the petitioner shall file appropriate application before the ATMCD for taking up his appeal for hearing.

20. It is further clarified that this Court has not expressed any opinion on



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the merits of the case, which shall be considered and decided by the learned ATMCD on its merits.

21. Rights and contentions of all the parties are left open, to be decided in appropriate proceedings.

22. With the aforesaid directions, the present writ petition, along with pending applications, is accordingly disposed of.

MINI PUSHKARNA, J

SEPTEMBER 12, 2025/au