

\$~22

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

+ W.P.(C) 3361/2015 & CM No. 6018/2015 (interim order)

S.S.PULSES MANUFACTURING PVT.LTD. Petitioner
Through: Mr Arjun Singh Bhati, Adv.

versus

GOVT.OF NCT OF DELHI & ORS Respondents
Through: Mr Peeyoosh Kalra, Ms Sona Babbar &
Ms Manjunatha N.T., Advs. for R- 1 & 2.
Mr Sahil Sangar & Ms Sayema Mubin, Advs. for
R-3.
Mr Jaswant Perraya, Adv. for R-4.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **06.05.2015**

1. The substantive prayer made in the writ petition is as follows:

“... Issue a writ in the nature of mandamus or any other writ or order or direction directing the Respondent No.2 to de-seal the premises of the petitioner situated at property bearing no. 87/1, Village Barwala, Bawana Road, Delhi...”

2. On the previous date, i.e., 08.04.2015, I had directed de-sealing of the subject premises, based on the plea advanced on behalf of the petitioner that the goods, which were lying in the said premises, were perishable in nature.

2.1 To be noted, the learned counsel had also stated that the petitioner was willing to have the subject premises conformed to the permissible use, and that, for this purpose, an undertaking of its director had been appended (see annexure P-8 at page 44 of the paper book).

3. The undertaking dated 04.04.2015, which has been filed by one, Mr. Sanjay Gupta, director of the petitioner company, inter alia, states as follows:

“...2. I undertake that the petitioner company shall not misuse its premises at property bearing no. 87/1, Village Barwala, Bawana Road, Delhi in any manner whatsoever and shall use the same strictly in accordance with Master Plan-2021/Zonal Plan.

3. I undertake that the petitioner company shall itself bring to an end all its industrial operations at the abovesaid premises forthwith....”

4. Learned counsel for respondent no.3 says that if the petitioner were to abide by the undertaking, the said respondent would have no objection to the subject premises being de-sealed.

5. Having regard to the undertaking given above, the prayer made in the writ petition is allowed. In case there is a violation of the undertaking, apart from any other action that may be taken against the petitioner, the director of the petitioner company, will also be liable to be proceeded by way of contempt.

5. The petition and the application are, accordingly, disposed of.

RAJIV SHAKDHER, J

MAY 06, 2015

kk