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

+ W.P.(C) 1019/2017 & CM APPL. 4669/2017

SUBODH DALAL

..... Petitioner

Through Mr. Mayank Mehandru and Mr. Rohit
Gandhi, Advs.

versus

NORTH DELHI MUNICIPAL CORPORATION Respondent

Through Ms. Mansi Gupta, Adv. with Mr.
Shivendar Singh Gurjar, Asstt. Public
Health Inspector.

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

% **05.09.2017**

Petitioner has assailed the closure notice dated 17.12.2016 and the letter dated 24.1.2017 issued by the respondent rejecting the application dated 19.12.2016 made by the petitioner seeking Health Trade Licence for Spa.

In sum and the substance, the case of the petitioner is that, when the petitioner was issued the impugned closure notice dated 17.12.2016 for running the trade of Body Massage Parlour/Spa without Municipal Health Trade Licence under insanitary and unhygienic conditions, he had immediately applied for the obtention of the Health Trade Licence for spa vide application dated 19.12.2016, but, that came to be rejected, as a closure notice had

already come to be issued vide office letter no. DHO/CLZ/2016/2211 dated 17.12.2016.

Petitioner approached this Court assailing both the closure notice and the rejection of the application dated 19.12.2016 vide impugned communication dated 24.1.2017. Upon hearing, the operation of the impugned communication was stayed till the next date i.e. 2.3.2017. The petitioner started its trade/business without obtention of the Municipal Health Trade Licence and is continuing so till now, is however, an undisputed fact. In the given situation, during the course of hearing, Ms. Gupta, ld. counsel for the respondent, on instructions, submits that the application made by the petitioner on 19.12.2016 shall be considered on its merits and disposed off within fifteen days from today, subject to the petitioner making up the deficiencies, which have already been conveyed to the petitioner vide communication no.DHO/CLZ/2016/2346 dated 26.12.2016, within three days from today.

In view of the foregoing, the writ petition is disposed off with a direction to the petitioner to respond/comply with the communication dated 26.12.2016 of the respondent within three days from today and the concerned authority of the respondent is directed to decide the application dated 19.12.2016 of the petitioner within fifteen days from today. Decision by the respondent either granting or declining the Health Trade Licence shall be taken by a speaking order, which shall be served upon the petitioner forthwith. In the event, the Health Trade Licence comes to be declined, the petitioner is directed to close down its business/trade within five days of the service of such

order. Petition is disposed off accordingly.

Dasti under the signatures of the Court Master.

A. K. CHAWLA, J

SEPTEMBER 05, 2017

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