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

+ **W.P.(C) 9686/2017 & CM APPL. 39436-39437/2017**

K. D. CAMPUS PVT. LTD.

..... Petitioner

Through

Ms. Rajeshwari H. And Mr. Kumar
Chitranshu, Advocates.

versus

STATE GOVT. OF NCT OF DELHI AND ANR. Respondents

Through

Ms. Puja Kalra, Advocate for NDMC
with Agnivesh Sharma, AE(B) Civil
Line Zone and Mr. R.K. Jain, AE(B),
Civil Line Zone.

CORAM:

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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02.11.2017

Petitioner has approached this Court with the prayers, as follows :

- (a) Issue a writ of mandamus directions to Respondent No.2 for stopping the sealing drive which is being carried out against the principles of natural justice and without following the procedure of law as laid down in DMC Act in the area of Mukherjee Nagar, Delhi-110009 and also for issuance of direction to respondent No.2 to de-seal the premises where the petitioner company was imparting coaching to the students who are aspirants of the competitive examinations and their examinations [SSC (Mains)] have been scheduled to be held on 24.12.2017
- (b) Pass any other order(s)/direction(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case."

A bare perusal of the afore-going prayers and the contents of the petition by itself do not disclose the properties of the petitioner, which are under threat of illegal sealing. During the course of hearing, on being queried, ld. Counsel for the petitioner comes forward to submit that about 22 premises occupied by the petitioner have come to be sealed by now and the petitioner is apprehending sealing of remaining premises as well. In the absence of specific details of the properties, any order in *rem* cannot be passed. Be that as it may, against a sealing order, there is statutory remedy by way of appeal under Section 347B of DMC Act and thereunder, the petitioner is at liberty to approach the appropriate forum and press for the relief, to which, the petitioner may be entitled to under law. It is however, expected of the respondent-NDMC to not to take coercive steps to deprive the petitioner of his statutory right, as provided for under law. Petition stands disposed off accordingly.

Dasti.

A. K. CHAWLA, J

NOVEMBER 02, 2017

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