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

+ **W.P.(C) 5073/2018**

SACHLA ARUN

..... Petitioner

Through: **Mr. Vidit Gupta, Adv.**

versus

EAST DELHI MUNICIPAL CORPORATION Respondent

Through: **Mr. Amit Sinha and Mr. A.S. Singh,**
Advs. with Mr. P.V. Singh, Ex.
Engineer, EDMC.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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15.05.2018

CM. No. 19604/2018 (for exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

W.P.(C) 5073/2018

This petition has been filed by the petitioner with the following prayers:

“In view of the above facts and circumstances, the Petitioner prays that this Hon’ble Court be pleased to:

- i. Issue a writ of mandamus or any other writ / order of the like nature to temporarily de-seal the premises bearing No. A-18, Swasthya Vihar, Delhi – 110092 so that the fittings, fixtures, goods & stock lying there can be removed from thereby by allowing the petition of the petitioner, in the interest of justice; And / or;*
- ii. Any other relief that this Hon’ble Court may deem fit in the facts and circumstances of the present case may*

also be granted in petitioner's favour, in the interest of justice.

Learned counsel appearing for the respondent on advance notice on instructions states, request of the petitioner for de-sealing could not be acceded to as there were certain deficiencies which were to be removed by the petitioner inasmuch as (1) petitioner has to file the rent agreement he has with his landlord (2) he has to file an undertaking that he shall remove the goods in the presence of the landlord. Learned counsel for the respondent also states, as the sealing has been effected on the directives of the Monitoring Committee, it would be appropriate for the petitioner to approach the Monitoring Committee.

Noting the above, petitioner is directed to furnish the rent agreement and the undertaking as stated above within two days to the MCD who shall place the request of the petitioner before the Monitoring Committee within two days thereafter for taking a decision.

In view of the above, the petition is disposed of.

A copy of this order be given *dasti* under the Signatures of the Court Master.

V. KAMESWAR RAO, J

MAY 15, 2018/jg