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

+ **W.P.(C) 5218/2019 & CM. Nos. 23088/2019 and 23089/2019**

M/S SKY ASSOCIATES

..... Petitioner

Through: Mr. Sanjeev Sindhwani, Sr. Adv.
with Mr. Lalit Gupta, Adv. with AR
of petitioner.

versus

NORTH DELHI MUNICIPAL CORPORATION Respondent

Through: Mr. Mukesh Gupta, Standing Counsel
with Mr. Rakshit Pandey, Adv. for
R1.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

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14.05.2019

CM. No. 23089/2019 (for exemption)

Exemption allowed subject to all just exceptions.

Application stands disposed of.

W.P.(C) 5218/2019 & CM. No. 23088/2019

The present petition has been filed by the petitioner with the following prayers:

“In the circumstances as aforesaid, it is most respectfully prayed that this Hon'ble Court may be pleased to:

(a) *Pass / issue an appropriate writ (s) / order (s) / direction (s) in the nature of writ of mandamus or any other appropriate writ thereby restraining the Respondent from taking any coercive steps like sealing / demolition etc., in respect of subject property being*

built property No. 5037-38, Rui Mandi, Sadar Bazaar, Delhi – 110006;

(b) Pass / issue an appropriate writ (s) / order (s) / direction (s) in the nature of writ of certiorari or any other appropriate writ thereby quashing / setting aside the impugned show cause notice dated 14.03.2019, bearing No. DC (CSPZ) / Bldg. (UC) / 2019/15/SCN, issued by the North Delhi Municipal Corporation / Respondent and all ancillary proceedings emanating therefrom in respect of subject property being built property No. 5037-38, Rui Mandi, Sadar Bazaar, Delhi – 110006;

(c) Pass / issue an appropriate writ (s) / order (s) / direction (s) thereby declaring that no coercive steps like sealing / demolition etc. can be taken in respect of subject property being built property NO. 5037-38, Rui Mandi, Sadar Bazaar, Delhi – 110006; and

(d) Pass any other and further order (s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

In substance, this petition has been filed by the petitioner seeking restraint order against the respondent from taking any coercive steps of sealing in respect of Suit property no. 5037-38, Rui Mandi, Sadar Bazaar, Delhi – 110006.

Mr. Sanjeev Sindhwani, learned Sr. Counsel appearing for the petitioner concedes, no final order has been passed by the respondent on the show-cause notice dated March 14, 2019. Mr. Mukesh Gupta, learned counsel appearing for the respondent also states, no final order has been

passed. According to him, the final order shall be passed within one week from today.

Noting the above submissions and also the submission of Mr. Sindhwani that the sealing order should not be given effect to for a reasonable time to enable the petitioner approach the appropriate authority against the final order, it is directed that the order shall not be given effect to for a period of one week from the date of receipt by the petitioner, of the copy of the final order to be passed by the Authority.

The petition stands disposed of.

CM. No. 23088/2019 (for direction)

Dismissed as infructuous.

Dasti.

V. KAMESWAR RAO, J

MAY 14, 2019/jg