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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 2840/2020 & CM APPL. 9865/2020**
SH. RAVINDER KUMAR BHOGAL AND ANR. Petitioners
Through: Ms. Ujala Vishnoi, Mr. Randeep Singh, Ms. Pooja Vishnoi, Advocates

versus

GOVT. OF NCT OF DELHI AND ANR. Respondents
Through: Mr. Jawahar Raja, ASC, GNCTD with Ms. Aditi Saraswat, Advocate
Mr. Sundeep Sehgal, Advocate for Intervenor

CORAM:
HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

% **01.05.2024**

1. The present writ petition is filed under Articles 226 and 227 of the Constitution for quashing/setting aside the sealing order under section 146(i) Cr.P.C. bearing no. F6/SDM/KJ/2020/3590-96 dated 06.03.2020 issued by respondent no.2/SDM (Kalkaji) against the petitioners. The petitioners have made the following prayers:-

- a) Set aside/quash the Sealing order issued U/S 146 (i) CR.P.C bearing no. F6/SDM/KJ/2020/3590-96 DATED 06.03.2020 along with all consequential-orders issued by the Respondent no.2/ SDM (Kalkaji) against petitioners wherein the SDM wrongly, arbitrarily and discriminatorily sealed the property owned jointly by the petitioners bearing no. 1011-A, Govindpuri, Kalkaji, New Delhi- 110019;and
- b) Direct the respondent no. 2 to de-seal the property owned jointly by the petitioners bearing no. 1011-A, Govindpuri, Kalkaji, New Delhi-110019 with immediate effect; or
- c) Any other or further order as the Hon'ble Court deems fit and



proper in the facts and circumstances of the present case.

2. During the course of the arguments, it is informed that one civil suit titled as **Raghubir Singh V South Delhi Municipal Corporation** bearing CS no.181/2020 pertaining to the same property was filed before the court of Senior Civil Judge, South East, Saket Courts, Delhi and that suit has already been finally decided.
3. It is stated on behalf of the Additional Standing Counsel for the respondents that an application has already been filed by the petitioners for de-sealing the property in question bearing no. 1012/9, Govindpuri, Kalkaji, New Delhi- 110019 measuring 304 Sq. yards is still pending before the SDM (Kalkaji).
4. The counsel for the petitioners seeks permission to withdraw the present petition with liberty to pursue the application filed for de-sealing the above mentioned property before the SDM (Kalkaji).
5. The petitioners shall be at liberty to initiate appropriate legal proceedings for de-sealing the property in question bearing no. 1012/9, Govindpuri, Kalkaji, New Delhi- 110019 measuring 304 Sq. yards in accordance with law.
6. The present petition along with pending application stands disposed of.

DR. SUDHIR KUMAR JAIN, J

MAY 1, 2024

j/ak