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

+ **W.P.(C) 10219/2018**

ANIL GUPTA AND ORS.

.....Petitioners

Through: **Mr. Amit Punj & Mr. Cyril Ignatious, Advocates.**

versus

NEW DELHI MUNICIPAL COUNCIL

.....Respondent

Through: **Mr. Yoginder Handoo, ASC with Mr. Ashwin Kataria, Mr. Garvik Solanki & Ms. Medha Gaur, Advocates for NDMC.**

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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03.10.2024

1. By the order dated 30.09.2024, it was recorded as follows:-

“1. Mr. Yoginder Handoo, learned Additional Standing Counsel for New Delhi Municipal Council, states that the shop in question has been sealed in the year 2018, pursuant to the impugned sealing order dated 11.09.2018. The sealing is on the ground of non-payment of license fees and misuse of the property. It is submitted that the license of the petitioners had also expired in the year 2011. Learned counsel, states that the proceedings for eviction and recovery under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, are in progress.

2. Learned counsel for the parties will apprise the Court of the status of those proceedings, on the next date of hearing.

3. It has been put to Mr. Cyril Ignatious, learned counsel for the petitioners, that the premises having already been sealed for a period of six years, and that the disputes raised by the petitioners will require adjudication of disputed questions of fact, which are already being adjudicated before the Estate Officer. As such, the



present writ petition may be disposed of, subject to the orders of the Estate Officer, and without prejudice to the appellate remedies available to the either party against the said order.

4. To enable learned counsel for the petitioners to take instructions, list on 03.10.2024.”

2. Learned counsel for the parties state that the proceedings before the Estate Officer is at the stage of evidence. They submit that the writ petition may be disposed of in terms of the directions contained in paragraph 3 of the said order.

3. In view of the above, the writ petition is disposed of in terms of paragraph 3 of the order dated 30.09.2024, as recorded above.

PRATEEK JALAN, J

OCTOBER 3, 2024

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