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

+ W.P.(C) 12187/2025 & CM APPL. 49680/2025

SURENDER KUMAR

.....Petitioner

Through: Mr. Anil Hooda and Mr. Satendra
Singh Baghel, Advs. (Through VC)

versus

MUNICIPAL CORPORATION OF DELHI & ORS.

.....Respondents

Through: Mr. Meherunissa A. Jaitley and Mr.
Dev Pratap Shahi, Advs. for R-1 and
2

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meherunissa.anand@gmail.com

Mr. Rajesh Kumar and Mr. Yash
Narain, Advocates for R-3 & 4

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Mr. Varun Gupta, Adv. for R-5
(Through VC)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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14.10.2025

1. The present writ petition has been filed praying for directions to respondent nos. 1 to 4, to take action against the respondent no. 5, and his tenant, for running a factory in the residential area, and playing loud music after 10.00 P.M. from the premises, i.e., *Building No. 6068, Gali Satnarayan*



Mandir, Nabi Karim, New Delhi-110055.

2. Status Report dated 12th September, 2025 has been filed on behalf of the Municipal Corporation of Delhi (“MCD”), wherein, it is stated as follows:

“xxx xxx xxx

3. That the present Petition has been filed seeking directions from this Hon’ble Court to the Respondent Nos. 1-4 against the Respondent No. 5 and his tenant(s), to stop the operation of the bag manufacturing factory at H. No. 6295, Gali Ravidass, Nabi Karim, New Delhi 110055 (“**Subject Property**”) which is stated to be located in a residential area, and also to prevent the factory workers from playing loud music post 10 PM, as the same interferes with the sleep, work and study of the neighbouring residents, including the Petitioner and his family.

4. That further additional directions are sought from Respondent Nos. 3 and 4, i.e., the Commissioner of Police and the SHO, PS





Nabi Karim to take action against the Respondent No. 5 for lodging false complaints against the sons of the Petitioner. The answering Respondent is not concerned with the aforesaid Prayer.

5. That it is submitted that in so far as the complaint of noise is concerned, the Respondent No. 1 is not the relevant "Authority" for enforcement, as notified by the Ministry of Environment and Forests under Rule 2(c) of the Noise Pollution (Regulation and Control) Rules, 2000 ("**Noise Pollution Rules, 2000**"). *A copy of the Noise Pollution (Regulation and Control) Rules, 2000 is annexed herewith and marked as ANNEXURE R/1.*
6. That as per GNCTD Gazette Notification dated 21.11.2019, the District Magistrate, Police Commissioner or any other officer not below the rank of the Dy. Superintendent of Police and other officer of the concerned Local Bodies have been designated to deal with all aspects of noise pollution. *A copy of the Gazette Notification dated 21.11.2019 is attached herewith and marked as ANNEXURE R/2.*





7. That further, recent Notice issued by the Department of Environment, GNCTD clearly specifies the authorities that may be approached by an aggrieved person for violation of the Noise Pollution Rules, 2000 as under:
- a.* All Deputy Commissioners, Office of the Divisional Commissioner, GNCTD;
 - b.* All Sub-Divisional Magistrates, Office of the Divisional Commissioner, GNCTD;
 - c.* Asst. Commissioner of Police (Control Room & Traffic);
 - d.* All Sub Divisional Police Officers including Railways and Airports;
 - e.* Chairman and Member Secretary of Delhi Pollution Control Committee, Delhi.
8. That the said Notice also specifies that complaints can be registered instantly by calling the Delhi Police helpline No. 155271 or by visiting ngms.delhi.gov.in. *A copy of the GNCTD Notice is annexed herewith and marked as ANNEXURE R/3.*





9. That in view thereof, the answering Respondent is limiting its response to the aspect of whether the Respondent No. 5 and its tenant(s) are in fact, permitted to operate the alleged bag manufacturing factory at the Subject Property.
10. That pursuant to the directions of this Hon'ble Court, the officials of the Respondent No. 1 inspected the Subject Property on 13.08.2025 itself, and found that there was in fact, a bag manufacturing factory using Sewing Machines operating out of the 1st, 2nd and 3rd Floors of the Subject Property against the existing Policy of the Respondent No. 1 and in violation of the provisions of the MPD-2021, as under:

- (i) 1st Floor under the name/ style of M/s Anwar and M/s Roshan Lal;
- (ii) 2nd Floor under the name/ style of M/s Guddu and M/s Md. Sazid.
- (iii) 3rd Floor under the name/ style of M/s Samir and M/s Firoz.



A copy of the Photographs taken by the officials of the Respondent No. 1 during the inspection at the Subject



Property are annexed herewith and marked as ANNEXURE R/4 (Colly).

11. That in view of the above, the Respondent No. 1 has been pleased to issue Notices dated 03.09.2025 under Section 354A read with Sections 347 and 419 of the DMC Act, 1957 to the all the occupiers of Subject Property i.e., 6068, Gali Satyanarayan Mandir, Nabi Karim, New Delhi-55, directing them to stop running Trade/ Industrial activities i.e., misuse of the premises for other than residential purpose only as per MPD-2021 within 48 hours from date of receipt of Notice, and file an affidavit in the prescribed format, failing which the premises/ industrial units/ factory under reference will be sealed without further notice. ***A copy of the Notices dated 03.09.2025 issued by the Respondent No. 1 are annexed herewith and marked as ANNEXURE R/5 (Colly).***

12. That pursuant to the issuance and receipt of Notice dated 03.09.2025, the misuse of the Subject Property has ceased w.e.f 04.09.2025. The Respondent No. 5 immediately took steps to ensure the tenant(s) vacated the Subject Property, which was





duly inspected by the officials of the answering Respondent on the same date. *A copy of the Photographs taken by the officials of Respondent No. 1 on 04.09.2025 are annexed herewith as ANNEXURE R/6 (Colly).*

13. That the Respondent No. 5 has also provided an Affidavit in respect of the vacated premises to the Respondent No. 1 dated 04.09.2025. *A copy of the Affidavit of Respondent No. 5 dated 04.09.2025 is annexed herewith and marked as ANNEXURE R/7.*
14. That in view of the aforementioned facts and circumstances, the Respondent No. 1 humbly submits that as all concerns of the Petitioner included in the Petition have been adequately addressed, the present Petition may be disposed of by this Hon'ble Court if it so deems fit, in the interest of justice.

3. Perusal of the aforesaid Status Report shows that requisite action has already been taken and that the said premises have already been vacated by the tenant of respondent no. 5.

4. Learned counsel appearing for respondent no. 5 confirms the fact that the premises of respondent no. 5 already stands vacated by his tenant.

5. Learned counsel appearing for the petitioner submits that his grievance, accordingly, stands satisfied and he does not wish to press the present writ petition any further.



6. Accordingly, noting the aforesaid, the present writ petition, along with the pending application, is disposed of.

MINI PUSHKARNA, J

OCTOBER 14, 2025/SK