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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 13029/2025 & CM APPL. 53294/2025, CM APPL.
53295/2025, CM APPL. 53296/2025
ASHOK BHATIA & ANR.Petitioners

Through: Ms. Chitrakshi, Advocate
(M:9953358646)

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Ms. Tajinder Viridi, Standing Counsel
for MCD
Mob:9818834444/9718834444,
Email:tajviridi@gmail.com,

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
27.08.2025

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1. The present writ petition has been filed seeking to quash the sealing order dated 11th March, 2025, passed by the respondent under Section 345-A read with Section 347 of the Delhi Municipal Corporation Act, 1957 ("DMC Act"), by way of which, the basement floor of property bearing No. A-4, Lok Vihar, Pitampura, Delhi-110034, has been sealed.
2. Learned counsel for the petitioners submits that the petitioners are the lawful owners of the basement portion of the property bearing No. A-4, Lok Vihar, Pitampura, Delhi-110034, which is situated in a mixed land use area,



where commercial activities are specifically permitted under the Master Plan for Delhi-2021 (“MPD 2021”).

3. It is submitted that the property was leased to a tenant for conducting a yoga studio under the name “M/s. Strength Squad Fitness Studio”, a legitimate wellness and commercial activity permitted under mixed land use provisions.

4. It is submitted that on 22nd July, 2025, without any prior notice to the property owners, the Municipal Corporation of Delhi (“MCD”) has sealed the basement of the said property.

5. It is submitted that the said action was taken without following the due process of law and is in violation of the Principles of Natural Justice.

6. Issue notice. Notice is accepted by learned counsel for the MCD.

7. Learned counsel for the MCD submits that that the Show Cause Notice under Section 345-A, read with Section 347 of the DMC Act was duly issued to the lessee/tenant of the petitioners herein. She draws the attention of this Court to *Annexure P-3* of the present writ petition, which is the lease deed executed by the petitioners in favour of one Mr. Nitin Kumar Sharma.

8. At this stage, learned counsel for the MCD has handed over copy of certain relevant documents, which are taken on record.

9. As per the documents handed over by learned counsel for the MCD, the notice under Section 345-A of the DMC Act for sealing of the premises in question, was duly handed over to Mr. Nitin Kumar Sharma, the lessee of the petitioners herein, which was received by him under his signatures. Further, the documents show that the Show Cause Notice dated 16th December, 2024 was also pasted on the door of the premises in question.



10. Thus, it is submitted that the sealing action has been taken by the MCD in accordance with law.

11. Having heard learned counsels for the parties, this Court notes that the present writ petition has been filed by the petitioners before this Court on account of the fact that, at present, there is no Presiding Officer in the Appellate Tribunal MCD (“ATMCD”).

12. This Court further notes the submissions made by learned counsel for respondent-MCD that various compliances have to be carried out by the petitioners, including, submission of No Objection Certificate (“NOC”) from the Fire Department.

13. Accordingly, it is directed that the petitioners shall approach the Deputy Commissioner of Keshav Puram Zone, MCD on 02nd September, 2025 at 12:00 PM.

14. The respondent-MCD shall duly hand over a list of all the compliances, which are to be completed by the petitioners, for the purposes of de-sealing of their premises.

15. Upon the petitioners being provided with the list of various compliances to be done by them, the petitioners shall duly comply with the directions of the MCD.

16. In case, the petitioners comply with the directions of the MCD and submit the requisite documents, a representation for de-sealing shall be made by the petitioners to the MCD, which shall be considered on its own merits.

17. In case, the MCD is satisfied that all the required compliances have been done by the petitioners, the MCD shall forthwith proceed to de-seal the premises of the petitioners.



18. With the aforesaid directions, the present writ petition, along with pending applications, is disposed of.

AUGUST 27, 2025/au

MINI PUSHKARNA, J