



2025:DHC:9062



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **W.P.(C) 15492/2025 & CM APPL. 63321/2025****DASS PAPER MART**

.....Petitioner

Through: Mr. Aman Kumar Singh and Mr. K.
Murali Reddy, Advs.

Mob: 9643861136

Email:

amankumar029709@gmail.com

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Ms. Arti Bansal, ASC for MCD

Mob: 9999442349

Email: artibansal07@yahoo.com**CORAM:****HON'BLE MS. JUSTICE MINI PUSHKARNA****ORDER****09.10.2025**

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1. The present writ petition has been filed seeking setting aside of the Sealing Order dated 15th September, 2025, passed by the respondent, as being illegal and arbitrary.
2. Learned counsel appearing for the petitioner submits that the petitioner is a registered trader and is in the business of supply of paper materials. It is submitted that the petitioner has been doing the business from the past few years and had obtained a Provisional Factory License dated 25th August, 2025, from the License Department of the Municipal Corporation of Delhi ("MCD").
3. He submits that the said license had expired on 23rd November, 2022.



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Subsequently, the petitioner had applied for and was issued Factory License for commercial category from the MCD, which was valid upto 31st March, 2025.

4. It is submitted that due to oversight, the petitioner failed to renew the said License after the expiry of the period on 31st March, 2025.

5. It is submitted that the respondent-MCD, without serving any notice upon the petitioner, sealed the business premises of the petitioner on 15th September, 2025, by handing over the Sealing Order of the same date to the petitioner, in person, at the time of sealing.

6. It is submitted that upon perusal of the Sealing Order, the petitioner got knowledge of the expiry of the License and immediately renewed his License on 17th September, 2025, which is now valid upto 31st March, 2026.

7. It is further submitted that the Sealing Order dated 15th September, 2025, makes a reference to a Show Cause Notice dated 09th September, 2025, which was never received by the petitioner, either through post, or in person.

8. He, thus, submits that the petitioner has no knowledge of the Show Cause Notice issued by the respondent, in respect of the business premises of the petitioner. Thus, it is submitted that the sealing action undertaken by the MCD on 15th September, 2025, is against the Principles of Natural Justice.

9. Learned counsel appearing for the petitioner submits that the present writ petition has been filed since there is no Presiding Officer in the Appellate Tribunal MCD ("ATMCD"), currently.

10. Responding to the present writ petition, learned counsel appearing for the respondent-MCD submits that requisite action has been taken by the



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MCD, after following due process of law. She further submits that Show Cause Notices were duly issued and served upon the petitioner before undertaking the sealing action. She further submits that the area in question is a residential area, where no factory can be allowed to run.

11. *Per contra*, learned counsel appearing for the petitioner submits that the petitioner is not running a factory and is only carrying out the business of storage of paper and paper materials. Learned counsel appearing for the petitioner further submits that the petitioner is seeking only a limited relief from this Court, so as to file an appeal and approach the ATMCD.

12. Having heard learned counsels appearing for the parties, and considering the submission made by learned counsel appearing for the petitioner that they have not received any Show Cause Notice prior to the sealing action, it is directed that all the Show Cause Notices and relevant documents pertaining thereto, shall be supplied by learned counsel appearing for the MCD to the learned counsel appearing for the petitioner, on the E-mail, which is reflected in today's order.

13. The petitioner shall file an appeal before the ATMCD, within a period of four weeks, from today.

14. As an interim measure, it is directed that the premises of the petitioner shall be de-sealed by the respondent-MCD, forthwith. However, it is clarified that the order being passed by the Court today is only with regard to temporary de-sealing, and appropriate order shall be passed by the ATMCD, upon the petitioner filing an appeal before the ATMCD.

15. Upon the petitioner filing an appeal before the ATMCD, the said issue shall be considered on its own merits.

16. It is directed that the temporary de-sealing, as directed by this order,



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shall continue till appropriate orders in that regard are passed by the ATMCD, subject to filing of the appeal by the petitioner, within a period of four weeks.

17. It is clarified that this Court has not expressed any opinion on the merits of the case, which shall be heard by the ATMCD, independently.

18. Rights and contentions of the parties are left open.

19. With the aforesaid directions, the present writ petition, along with the pending application is accordingly, disposed of.

MINI PUSHKARNA, J

OCTOBER 9, 2025/SK

Signature Not Verified

Digitally Signed
By: HARIOM SHARMA
Signing Date: 12.10.2025
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