



2025:DHC:10089



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 14.11.2025**+ **W.P.(C) 17340/2025 & CM APPL. 71379/2025****MOHD MANSOOR**

.....Petitioner

Through: Mr. Javed Ahmad, Ms. Aakriti Aditya
and Mr. Adnan Khan, Advocates
Mob: 9810518138
Email: javedahmadadv@gmail.com

versus

MUNICIPAL CORPORATION OF DELHI AND ORS.

.....Respondents

Through: Ms. Ankita Sarangi, Advocate for
MCD

CORAM:**HON'BLE MS. JUSTICE MINI PUSHKARNA****MINI PUSHKARNA, J. (ORAL):**

1. The present writ petition has been filed seeking prayer for quashing the notices/order dated 03rd November, 2025 and 06th November, 2025, passed by the Municipal Corporation of Delhi ("MCD"), whereby, the MCD has intimated that the shop of the petitioner will be sealed and the proceedings to revoke the trading license of the petitioner has commenced, which is valid upto 26th March, 2026.
2. Learned counsel appearing for the petitioner submits that the petitioner has been engaged in a scrap-warehousing business at premises *No. A-9 (Ground Floor), Old Double Storey, Lajpat Nagar-IV, New Delhi-110024*, for the last twenty years.
3. It is submitted that the petitioner has a valid license issued from the



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MCD and draws the attention of this Court to the license document issued in favour of the petitioner by Central Licensing and Enforcement Cell, MCD, which is reproduced as under:

MUNICIPAL CORPORATION OF DELHI Central Licensing & Enforcement Cell 21st Floor, Dr.SPM Civic Center J.I. Nehru Marg, New Delhi 110002			
GENERAL TRADE/STORAGE LICENSE सामान्य व्यापार / भंडारण लाइसेंस RENEW LICENSE			
San Transferable/न हस्तांतरणीय Pan Non Refundable/पैन नोन रिफंडेबल			
Department विभाग	CI&ECHOQ	Zone क्षेत्र	CENTRAL ZONE
License No. लाइसेंस नंबर	SGFL0423233488	Date of Issue जारी करने की तिथि	03/04/2025
Issued U/S किसी नगर विधान प्रविधिक की धारा	417	License valid upto लाइसेंस मान्य तक	31/03/2026
D.M.C Act के अधिनियम जारी किया गया	1957		
This License is granted in pursuance to the provisions of section 417 of the Delhi Municipal Corporation Act, 1957 as amended up to date and is valid only for the person and particulars specified herein subject to conditions stated hereunder: यह लाइसेंस दिल्ली नगर विधान अधिनियम, 1957 की धारा 417 के प्रावधानों के अनुसार स्वीकृत किया गया है और यह केवल उक्त व्यक्ति के लिए ही मान्य रहेगा।			
Shri./Smt./Sarasvathi श्री./श्रीमती./सरस्वती	MR. MANSOOR		
Registered Mobile Number पंजीकृत मोबाइल नंबर	9825504660 (please contact/write at above address for change of mobile number)		
Type of Firm/ फर्म का प्रकार	PROPRIETORSHIP		
Relation of Applicant With Company/ अर्जत के साथ कंपनी का संबंध	PROPRIETOR		
Trade Category/ व्यापार की श्रेणी	MLU MIXED LAND USE		
Name of Unit/Establishment/ यूनिट/प्रतिष्ठान का नाम	MR. MANSOOR		
Trade Premises Situated / व्यापार प्रेमिस स्थित है	GROUND FLOOR, A-4, OLD DOUBLE STOREY NIRMAL PURI LAMPAT NAGAR-IV NEW DELHI GROUND FLOOR, OLD DOUBLE STOREY D.P. 110023		
Trade/Storage/ व्यापार / भंडारण	OTHER ARTICLES OF TRADE/STORAGE NOT CLASSIFIED ELSEWHERE (TRADE AND STORAGE OF ALL TYPE OF SCRAP)		
Unit area in sq. mtrs./ वर्ग मीटर में इकाई क्षेत्र	15	License Fees of(Rs./) लाइसेंस शुल्क (₹)	8000.00
Received Receipt No./ प्राप्त रसीद नं	MGL11671743673415680 License Generated Date/ 03/04/2025 लाइसेंस जनरेट की तिथि		

4. By referring to the aforesaid license, it is the case of the petitioner that the license of the petitioner is valid till 31st March, 2026.
5. Learned counsel appearing for the petitioner submits that notice dated 06th November, 2025 was received by the petitioner, wherein, directions



have been issued by the office of the Assistant Commissioner, Central Zone, MCD, for revocation of the Municipal Trade License of the petitioner. The said letter dated 06th November, 2025, is reproduced as under:

MUNICIPAL CORPORATION OF DELHI
OFFICE OF THE ASSTT. COMMISSIONER
CENTRAL ZONE: LAJPAT NAGAR

No. AC/CNZ/1160/2025 Dated: 06/11/2025

Sub: Revocation of Municipal Trade License bearing No.SGTL0423233486 (online).

On receiving of complaint from the residents of Amar Colony Lajpat Nagar-IV regarding running of a kabari shop at House No.A-9 (Ground Floor), Double Storey Lajpat Nagar-IV, a survey was conducted by this Department and during the survey, owner/occupier showed copy of online trade license valid upto 31.03.2025 followed by a copy of receipt of payment of conversion charges with penalty and parking charges amounting to Rs.9,07,958/-.

The matter was forwarded to Building Department, Central Zone to examine the issue for taking appropriate action to close down the kabari shop at the above mentioned premises. In between the matter was listed before the Hon'ble PGC on 20.02.2019, 30.07.2025, 28.08.2025 & 01.10.2025 whereby the Hon'ble PGC directed to take action for revocation of license of kabari shop in time bound manner as per provisions of DMC Act and submit Action Taken Report before the Commission on next date of hearing. **The next date of hearing is fixed for 06.11.2025.**

It is essential to mention here that that the Building Department/Central Zone vide note dated 25.09.2025 has stated that ".....As per para 15.6.2 of Master Plan-2021, Junk Shop (except paper and glass waste) are not allowed under mixed use. Accordingly, the matter may please be forwarded to the Licensing Department, Central Zone for revocation of license issued for operation of kabari shop from the subject property and further necessary action as per law".

Keeping in view the above, ADC (HQ)/MCD is requested to kindly revoke the license immediately and block the license for further renewal of the same.

Asstt. Commissioner
Central Zone
Assistant Commissioner
Municipal Corporation of Delhi
Central Zone, Lajpat Nagar.

DC/CL&EC (HQ)/MCD

Copy to:

- (i) Hon'ble Member, PGC for kind information with reference letter No.PGC/2025/MCD/113/5495 dated 03.09.2025.
- (ii) Director (IT)/MCD Civic Centre for kind information.
- (iii) DC/CNZ for kind information.
- (iv) EE (Bldg.)/CNZ with the request to take closure action in this matter.
- (v) AO/CNZ
- (vi) Concurred LI:

(vii) A-9 (Ground Floor) Double Storey



6. Learned counsel appearing for the petitioner further draws the attention of this Court to the notice dated 03rd November, 2025, issued under Section 345-A of the Delhi Municipal Corporation Act, 1957 by the Building Department, Central Zone, MCD, which is reproduced as under:

**MUNICIPAL CORPORATION OF DELHI
BUILDING DEPARTMENT: CENTRAL ZONE
JAL VIHAR : LAJPAT NAGAR
NEW DELHI**

No. DI D/186/MU/
IEE(B)-1/DC/CNZ/2025

Dated 03/11/2025

**NOTICE U/S 345-A OF DELHI MUNICIPAL
CORPORATION ACT, 1957 (66 OF 1957)**

Whereas the Hon'ble Supreme Court, in the matter of "M. c. Mehta Vs. Union of India and Others", vide its orders dated 16th February-2006/24 th March-2006, directed to take sealing actions against misusers.

Whereas the Hon'ble Supreme Court, in the aforesaid directions, the public/ Owners/ Occupiers, in general, by way of publication of a Public Notice in- the leading newspapers, were advised to stop the misuse, which are not covered within the ambit of Master Plan-2021, and bring the same within the ambit of law.

WHEREAS, it has been brought to my notice that Property No. A-9, Double Storey (Ground Floor), Lajpat Nagar, New Delhi is being misused for storage as well as trading of plastic goods, Iron junk and other waste materials at the instance of the Owner/Occupier which is in total violation of permissible use of the said property, and also against the Master Plan-2021, which amounts to misuse of premises.

Now, therefore, I, Deputy Commissioner, Municipal Corporation of Delhi, Central Zone, New Delhi, in exercise of powers vested in me under section 345-A of the DMG Act, read with Section 491 of the Act and rules made there under, after considering the reports placed before me, hereby direct you to bring the use within permissible area as per Master Plan-2021 within 48 hours and also file an Affidavit in the prescribed format, failing which the premises under reference will be sealed without any further notice to you.

(Shashvat Saurabh, IAS)
Dy. Commissioner
Central Zone

✓ The Owner/Occupier
A-9, Double Storey (Ground Floor)
Lajpat Nagar, New Delhi 24 IN

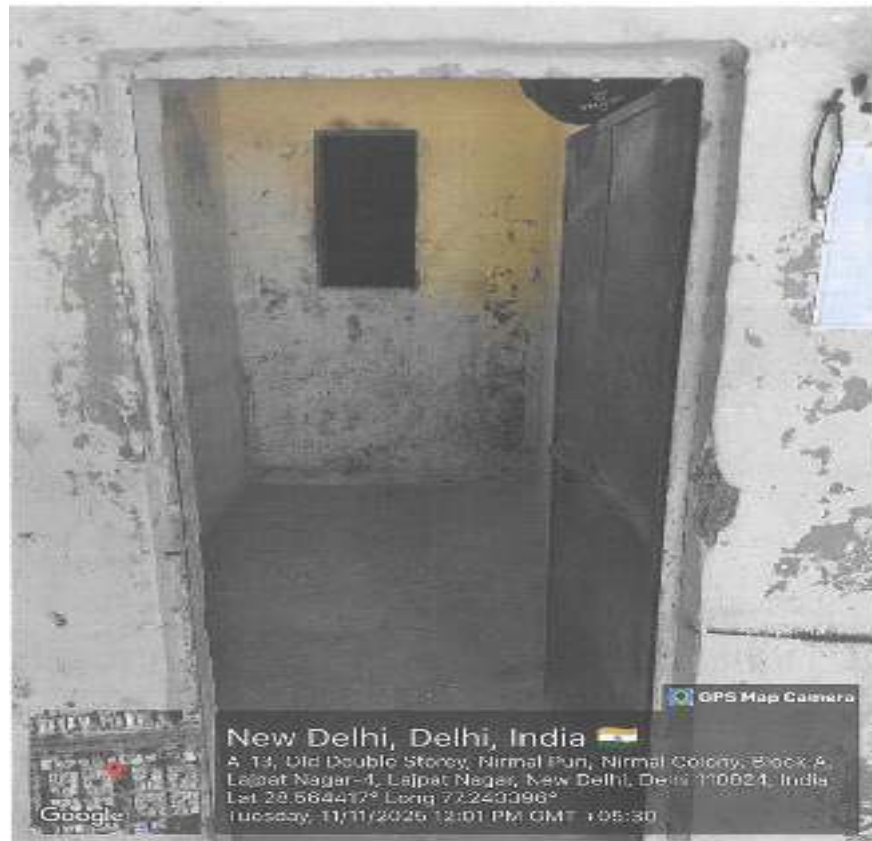
7. By referring to the aforesaid, learned counsel appearing for the petitioner submits that after receipt of the aforesaid notice, the petitioner has removed all the incriminating goods. He draws the attention of this Court to the photographs attached with the present petition, two of which, are



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reproduced as under:



Signature Not Verified

Digitally Signed
By: HARIOM SHARMA
Signing Date: 15.11.2025
20:44:50



8. He submits that without granting any opportunity of hearing to the petitioner in this regard, the aforesaid action is sought to be taken against the petitioner.
9. Issue notice. Notice is accepted by learned counsel appearing for the respondents.
10. Learned counsel appearing for the respondents-MCD submits that a complaint case is pending against the petitioner before the Public Grievances Commission ("PGC"). She submits that the violation and misuse being carried out by the petitioner has been noticed by the department and that the petitioner was found to be misusing the premises for trading of plastic goods, iron junk and other waste materials, which is in complete violation of the permissible use of the said property, and also against the Master Plan of Delhi, 2021 ("MPD 2021").
11. Learned counsel appearing for the MCD relies upon Clause 15.6.2 of MPD 2021, to submit that junk shop (except paper and glass waste), are not allowed under the mixed use.
12. She, thus, submits that since the petitioner was found to be misusing the premises in question, action has rightly been initiated by the MCD.
13. At this stage, learned counsel appearing for the petitioner submits that petitioner is ready to submit an undertaking before the MCD that the petitioner shall not use the premises except for the permissible use under the MPD 2021.
14. Responding to the aforesaid, learned counsel appearing for the respondents-MCD submits that since misuse was found in the premises in question, the petitioner would be liable to pay misuse charges for the same.
15. Learned counsel appearing for the petitioner submits that without



prejudice to its rights and contentions, the petitioner is ready to pay the misuse charges.

16. This Court also takes note of the submission made by learned counsel appearing for the MCD that on previous occasions also, the monitoring committee had issued directions against the petitioner herein since the premises in question was found to be misused.

17. Considering the submissions made before this Court, it is directed that the petitioner shall forthwith file an undertaking before the concerned department of the MCD, that the petitioner shall use the premises strictly in accordance with the permissible use in terms of Clause 15.6.2 of MPD 2021 and as per the terms of the License issued to the petitioner.

18. Further, the misuse charges payable by the petitioner shall be duly indicated to the petitioner, which shall be paid by the petitioner promptly.

19. The petitioner is held bound to strictly comply with any directions that may be issued by the MCD, and shall carry out the business in the premises strictly, in accordance with law and in compliance with the permissible use.

20. It is clarified that in case the petitioner is found to be not complying with his undertaking and misusing the premises, the MCD shall be at liberty to take action, in accordance with law.

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

MINI PUSHKARNA, J

NOVEMBER 14, 2025

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