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

+ **LPA 778/2025 & CM APPL. 80458-59/2025**

NEW DELHI MUNICIPAL COUNCIL

.....Appellant

Through: Ms.Kanika Agnihotri, SC with
Mr.Tushar Sannu, ASC for NDMC
along with Ms.Khushi Anand, Mr.Nihar
R. Singh, Mr.Parvin Bansal and
Mr.Abhinav Jha, Advs.

versus

NITIN AHUJA AND ANR

.....Respondents

Through: Mr. M.A. Niyazi, Adv. with
Ms.Anamika Ghai Niyazi, Ms.Kirti
Bhardwaj, Ms.Nehmat Sethi and
Mr.Arquam Ali, Advs. for R-1.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

19.12.2025

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1. The present Letters Patent Appeal has been filed challenging the order dated 11.11.2025 passed by the learned Single Judge in W.P.(C) No. 8145/2025 titled "*Nitin Ahuja vs. NDMC*", whereby the learned Single Judge allowed the writ petition filed by the respondent herein and directed the appellant/North Delhi Municipal Corporation (hereinafter referred to as "*NDMC*") to de-seal the subject premises.

2. We have heard the learned counsel for the parties and perused the impugned judgment on record.

3. We are not inclined to interfere with the directions passed by the learned Single Judge which shall be complied with by the NDMC. However, the only



indulgence we grant is that NDMC would be at liberty to initiate proceedings for levy of misuse charges, if any, in accordance with law. While initiating such proceedings, NDMC shall necessarily issue a show-cause notice, furnishing therewith the relevant material on the basis whereof, it proposes to levy such charges.

4. The rights and contentions of the parties are left open.

5. In view of the above, the present appeal, along with pending applications, if any, stands disposed of.

6. Nothing stated herein shall be construed as an expression of opinion on the merits of the case.

DEVENDRA KUMAR UPADHYAYA, CJ

TUSHAR RAO GEDELA, J

DECEMBER 19, 2025

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