



2025:DHC:11869



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 23rd December, 2025**+ W.P.(C) 19564/2025 & CM APPL. 81741/2025, CM APPL.
81742/2025

SARDAR GURVINDER SINGHPetitioner
Through: Mr. Gautam Narayan, Sr. Adv. with
Ms. Perna Chaturvedi, Advocates
Mob: 9818402326

versus

MUNICIPAL CORPORATION OF DELHIRespondent
Through: Ms. Vaishali Gupta, Panel Counsel
for GNCTD with Ms. Ishita Gupta
and Ms. Vaishali Gupta, Advs.
Mob: 8383031929
Email: gvaishaliadv@gmail.com
Mr. Ashutosh Gupta, ASC for MCD
Mob: 9891826827
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CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J. (ORAL):

1. The present writ petition has been filed seeking directions to the respondent-Municipal Corporation of Delhi ("MCD"), to de-seal the premises of the petitioner, situated at A-39, Mahendru Enclave, Delhi and also to quash the exorbitant penalty/demand of Rs. 4,74,18,327/-.
2. Learned Senior Counsel appearing for the petitioner submits that the petitioner is the owner of the premises in question, wherein, a banquet hall was being operated. The said premises were sealed by the Public Health



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Department of the MCD on 24th June, 2019, pursuant to the sealing order dated 21st June, 2019, on the ground that the banquet hall was operating without a Municipal Health Trade License (“Health License”).

3. It is submitted that the petitioner has already submitted a representation dated 29th September, 2021 along with an indemnity bond, with the MCD, thereby, undertaking not to use the premises as a banquet hall unless necessary Health License is obtained.

4. He further submits that now *vide* letter dated 18th November, 2021, a penalty of Rs. 4.74 Crore has been imposed by the Public Health Department, without issuance of any Show Cause Notice or inspection report, or without granting an opportunity to respond or hearing to the petitioner.

5. Issue notice. Notice is accepted by accepted by learned counsel appearing for the respondents, who submits that conversion charges have not been paid by the petitioner, on account of which, penalty has been imposed.

6. Responding to the same, learned Senior Counsel appearing for the petitioner draws the attention of this Court to the receipt dated 25th May, 2025 attached as *Annexure-P4* to the present petition, to submit that the petitioner has already deposited an amount of Rs. 25,01,000/- (Rupees Twenty Five Lakh One Thousand) towards conversion charges way back in the year 2015. He, thus, submits that the action of the MCD is totally arbitrary.

7. Having heard learned counsels appearing for the parties, this Court notes that the stand of the MCD, that the petitioner has not paid any conversion charges for operating banquet hall in the property in question, is totally incorrect. The receipt of payment dated 25th May, 2015, paid by the



petitioner towards the conversion charges is on record before this Court.

8. Accordingly, the action of the MCD in imposing penalty of Rs. 4,74,18,327/- upon the petitioner, without issuance of notice and without granting any hearing to the petitioner and without taking into account the amounts already deposited by the petitioner, cannot be sustained in law.

9. Accordingly, the penalty of Rs. 4,74,18,327/-, as raised by the MCD against the petitioner, is hereby set aside.

10. This Court also takes note of the submission made by learned Senior Counsel appearing for the petitioner that the petitioner has already submitted an undertaking and representation with the respondent-MCD that the petitioner shall not use the premises for the purposes of banquet hall without obtaining requisite Health License and other permissions/licenses.

11. Accordingly, it is directed as follows:

- i. The petitioner shall appear before the Executive Engineer, Building-II, Keshav Puram Zone, MCD on 07th January, 2026 at 11:00 AM.
- ii. The petitioner shall be granted hearing with respect to the amounts already deposited by the petitioner towards conversion charges.
- iii. The MCD shall also consider the undertaking and the representation of the petitioner with regard to operating the banquet hall only after obtaining the requisite licenses/permission, as required.
- iv. Upon hearing, the petitioner shall also be entitled to submit before the MCD, any other document, as may be required for the purposes of considering the case of the petitioner.
- v. The MCD shall consider the submissions and documents of the petitioner and pass a speaking order as to whether any further amount is payable by the petitioner towards conversion charges.



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- vi. At the time of hearing, the Deputy Health Officer of Keshav Puram Zone, shall also be present, in order to consider the request of the petitioner for de-sealing.
 - vii. The petitioner shall comply with the directions as may be issued by the MCD for the purposes of de-sealing of the premises.
 - viii. In case, the MCD is satisfied with the compliances made by the petitioner, the MCD shall proceed to pass requisite order with regard to de-sealing of the premises of the petitioner.
 - ix. The decision shall be taken by the MCD, within a time bound manner, preferably, within a period of eight weeks.
 - x. In case the petitioner is aggrieved by any order passed by the MCD, the petitioner would be at liberty to seek his legal remedies.
12. With the aforesaid directions, the present writ petition, along with the pending applications, is disposed of.

MINI PUSHKARNA, J

DECEMBER 23, 2025/ak