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

+ **W.P.(C) 14678/2024 and CM APPL. 61642/2024**

SHRI RAJENDER PRASAD BANSAL

.....Petitioner

Through: Ms. Anjali Jha Manish, Mr.
Priyadarshi Manish, Mr. Paras Aneja,
Mr. Saurav Kumar, Advs.

versus

**EXECUTIVE MAGISTRATE TEHSILDAR
NARELA & ANR.**

.....Respondents

Through: Mr Raghvendra Upadhyay (Panel
Counsel for GNCTD), Ms Purnima
Jain and Mr Swaraj Maurya,
Advocates.
Mr. Sanjay pal (govt. Pleader)
Mr. Biraja Mahapatra, Mr. Nalin
Hingorani, Advs. for R-DPCC.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

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20.01.2026

1. The facts and circumstances of the case would indicate that the petitioner is the owner of the subject property bearing no. D-290, Sector-5, DSIIDC, Bawana Industrial Complex, and is governed by the perpetual lease dated 13.07.2007.
2. On 31.01.2019, the aforesaid property was leased for a limited period of 11 months to the lessee.
3. The activity which was disclosed by the lessee was for Ironing and Packaging of Jeans. It appears that, thereafter, the National Green Tribunal



(‘NGT’) in in O. A. No. 620/2019 titled ***Varun v. Delhi Pollution Control Committee & Ors.***, directed the constitution of a joint committee comprising the Central Pollution Control Board, the Delhi Pollution Control Committee, and the concerned District Magistrates to examine alleged polluting activities in certain industrial areas, including the Bawana Industrial Area, where the subject property situates.

4. The Executive Magistrate passed an order on 23.08.2019 and had imposed a penalty of Rs. 50,000/- upon the tenant, besides sealing borewell found at the premises. A separate order was passed sealing the premises. The tenant seems to have deposited the penalty.

5. On 17.09.2019, the Delhi Pollution Control Committee issued closure directions under Section 31A of the Air (Prevention and Control of Pollution) Act, 1981, Section 33A of the Water (Prevention and Control of Pollution) Act, 1974, and Section 5 of the Environment (Protection) Act, 1986. Proceedings were initiated by the tenant in W. P. (C) 3919/2020 and certain directions were issued by the Court. Pursuant thereto, show cause notices were issued.

6. On 16.07.2020, a representation seeking de-sealing of the premises was submitted. However, vide order dated 29.07.2020, the same has been rejected by the Executive Magistrate/ Tehsildar. It appears that, thereafter, the petitioner approached the NGT for de-sealing of the property; however, the said application was also rejected.

7. During the course of hearing, learned counsel appearing for the petitioner points out that under almost similar circumstances, the Court in W. P. (C) 15585/2022 vide order dated 05.12.2022, has issued certain directions.



8. Having considered the nature of the grievance raised in the instant petition, the Court finds that the sole object of the order of sealing by this time has been achieved. If the petitioner continues to violate any of the statutory provisions of the Act or the Rules, the concerned Authorities are always empowered to take necessary actions. The continued sealing, however, would not be of any use.

9. Under these circumstances, granting such liberty, the petition stands disposed of with the following directions:

- (i) Let the concerned Sub-Divisional Magistrate/ concerned authority to de-seal the subject premises within two weeks from the date of receipt of the copy of this order passed today.
- (ii) Consequentially, electricity connection and water supply and other basic amenities be restored.
- (iii) The respondent authorities shall, however, be at liberty to recover the environmental compensation already imposed on the tenant, if not already recovered.

PURUSHAINDR KUMAR KAURAV, J

JANUARY 20, 2026

aks/ap