



\$~37

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

+ **W.P.(C) 19397/2025**

MR. MOTI LAL

.....Petitioner

Through: Mr. Abhay Mani Tripathi and Mr.
Suryans Agarwal, Advocates.

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Mr. Prithvi Sabharwal, Advocate for
MCD.
Mr. S.G. Goswami, Advocate for
owner.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

%

13.01.2026

1. The present writ petition has been filed seeking directions for temporary de-sealing of the shop of the petitioner, i.e., *Shop No. 2, Ground Floor* at property bearing No. A-17, *Gali No. 02, out of Khasra No. 10/1/8, Ambedkar Vihar, Johripur, Delhi-110094* (hereinafter 'subject property').
2. It is submitted that the petitioner is a tenant of the said shop, having rented the same from its owner, i.e., Smt. Shanti Devi.
3. By way of the present petition, the petitioner seeks temporary de-sealing of the property for a limited period, in order to allow the petitioner to take out its goods from the sealed property.
4. On 22nd December, 2025, the owner of the subject property, Smt. Shanti Devi was impleaded as respondent no.2 in the present petition.
5. Mr. S.G. Goswami, counsel appears on behalf of the owner and



submits that Smt. Shanti Devi has passed away on 12th December, 2017 and the subsequent owner Sh. Achal Kumar Yadav also passed away on 10th September, 2025.

6. The legal representatives of Sh. Achal Kumar Yadav are present in Court and admit the fact that the subject property was rented out to the petitioner and the property continues to be in occupation of the petitioner.

7. Counsel for the petitioner has drawn attention of the Court to previous orders passed by this Court permitting the tenants to remove their belongings/material from the premises which have been sealed, by temporarily de-sealing the premises.

8. Counsel for the petitioner prays that the subject property be de-sealed for a period of seven (7) days to enable the petitioner to remove his goods/machinery/tools etc. lying in the subject property.

9. Attention of the Court has been drawn to the order passed by the Division Bench of this Court on 15th May, 2018 in W.P.(C) 4349/2017 where similar orders have been passed.

10. It is agreed between the parties that the process to remove petitioner's goods/machinery/tools etc. from the subject property shall commence from 19th January, 2026.

11. In view of the above, it is directed as follows:

- i. The Municipal Corporation of Delhi (MCD) shall effect de-sealing of the premises with effect from 19th January, 2026 for the purpose of only permitting removal of the goods by the petitioner.
- ii. The petitioner shall ensure that the removal process is completed within seven (7) days from 19th January, 2026.
- iii. The MCD shall ensure that the premises are re-sealed on 27th January,



2026 or any prior date when the petitioner has removed all his goods.

- iv. The MCD shall ensure that no commercial activity is permitted in these premises in future.
 - v. The respondent/MCD is permitted to video-graph the entire removal process, including taking photographs and making an inventory of the belongings/machinery which is removed by the petitioner.
 - vi. The SHO of the concerned area shall extend all cooperation in the aforesaid removal process.
12. Liberty is granted to the owner/occupier of the subject property to file an appeal before the Judicial Committee as constituted by the Supreme Court in WP(C) 4677/1985 titled as ***M.C. Mehta v. Union of India*** [order dated 13th September, 2022].
13. Rights and contentions of the parties are left open.
14. Needless to state, nothing in this order shall be construed as an expression of this Court on the merits of the case.
15. The present petition along with all pending application(s) stands disposed of in terms of above.

AMIT BANSAL, J

JANUARY 13, 2026

Rzu