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

+ **W.P.(C) 402/2026 & CM APPL. 1887/2026**

SMT. KAMLESH KUMARI

.....Petitioner

Through: **Mr. Abhay Mani Tripathi and Mr.
Suryans Agrwal, Advocates**

versus

**MUNICIPAL CORPORATION
OF DELHI & ANR.**

.....Respondents

Through: **Mr. Prithish Sabharwal, Advocate for
MCD.**

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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13.01.2026

1. The present writ petition has been filed seeking directions for temporary de-sealing of the Hall of the petitioner situated at First Floor, in the property bearing No. A-17, situated in Gali No.2, out of Khasra No.10/1, Ambedkar Vihar, Johripur, Delhi-110094.
2. It is submitted that the petitioner is a tenant of the said hall, having rented the same from its owner, i.e., Smt. Sulekha Yadav.
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. Mr. S.G. Goswami, counsel appears on behalf of the respondent no.2/owner on advance notice along with the respondent no.2, who is present in person, and submits that the subject property was rented out to the petitioner and the property continues to be in occupation of the petitioner.



5. 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.
6. Counsel for the petitioner prays that the 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 property.
7. Attention of the Court has been drawn to the order passed by the Division Bench of this Court in 15th May, 2018 in W.P.(C) 4349/2017 where similar orders have been passed.
8. 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.
9. 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 her 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.
10. 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].
11. Rights and contentions of the parties are left open .
12. Needless to state, nothing in this order shall be construed as an expression of this Court on the merits of the case.
13. The present petition along with all pending application(s) stands disposed of in terms of above.

AMIT BANSAL, J

JANUARY 13, 2026

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