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

+ **W.P.(C) 6725/2018 & C.M.Nos.25503-04/2018**

**SHRI REV SINGH**

..... Petitioner

Through Mr.A.K.Tripathi with petitioner in person.

versus

**EAST DELHI MUNICIPAL CORPORATION**

..... Respondent

Through Ms.Mini Pushkarna, S.C. with Ms.Swagata Bhuyan & Ms.Shiva Pandey, Advs.

**CORAM:**

**HON'BLE MS. JUSTICE REKHA PALLI**

**ORDER**

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**29.06.2018**

Vide the present petition, the petitioner, has sought quashing of sealing order dated 26.06.2018 passed by the respondent.

At the outset, learned counsel for the petitioner concedes that the appropriate remedy for the petitioner to challenge the said order is by way of an appeal before the MCD Appellate Tribunal, which is stated to be closed because of the ongoing summer vacations. In view of the vacation, he apprehends that the respondent may proceed to take steps in accordance with the sealing order, making the petitioner remediless.

He further submits that despite the petitioner's repeated requests, he has not been supplied with a copy of the aforesaid sealing order.

Ms.Mini Pushkarna, learned counsel, enters appearance on behalf of the respondent on advance notice, and hands over a copy of the sealing order to the learned counsel for the petitioner, from which it transpires that the sealing order is dated 27.06.2018 and not

26.06.2018 as stated in the petition.

Learned counsel for the respondent is unable to dispute the fact that the sealing order having been issued on 27.06.2018 only the petitioner has not been able to avail any appellate remedy in this short time due to the ongoing summer vacation. She fairly state, on instructions, that keeping in view the peculiar facts of the case, the respondent will not take any action pursuant to the sealing order, till the petitioner's appeal is taken up for preliminary hearing by the Tribunal.

Accordingly, while granting one week's time the petitioner to file an appropriate appeal before the MCD Tribunal, it is directed that no coercive action pursuant to the aforesaid sealing order will be taken by the respondent till the petitioner's appeal is listed for preliminary hearing by the Tribunal. It is however made clear that once the appeal is taken up for hearing, the parties will be governed by the same and the Tribunal, will be free to deal with the appeal on its own merit.

It is also made clear that this Court has not examined the merits of the case.

The petition alongwith pending applications is disposed with the aforesaid directions.

*Dasti* under the signature of Court Master.

**REKHA PALLI**  
**(VACATION JUDGE)**

**JUNE 29, 2018**

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