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

W.P.(C) 6290/2004

N.D.M.C.

..... Petitioner

Versus

R.S. SURI

..... Respondent

W.P.(C) 6291/2004

N.D.M.C.

..... Petitioner

Versus

R.S. SURI

..... Respondent

W.P.(C) 6292/2004

N.D.M.C.

..... Petitioner

Versus

R.S. SURI

..... Respondent

W.P.(C) 6308/2004

N.D.M.C.

..... Petitioner

Versus

R.S. SURI

..... Respondent

+ W.P.(C) 6770/2004

N.D.M.C.

..... Petitioner

Versus

R.S. SURI

..... Respondent

**Counsel for petitioner:**

Mr. Arjun Mitra and Mr. Abhishek  
Misra, Advs. for NDMC.

**Counsel for respondent:**

Mr. Rohit K. Aggarwal, Adv.

**CORAM:**

**HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW**

**ORDER**

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**02.03.2016**

1. These petitions impugn the common judgment dated 1<sup>st</sup> August, 2003 of the Additional District Judge, Delhi allowing HTAs No.194/2002, 195/2002,

196/2002, 197/2002, 199/2002 preferred by the respondent by setting aside the assessment order dated 5<sup>th</sup> August, 2002 of the petitioner New Delhi Municipal Council (NDMC) and by remanding the assessment back to the Assessing Authority of the petitioner NDMC for re-assessment as per law after giving an opportunity of hearing to the respondent.

2. These petitions were entertained. Though there was no stay of operation of the impugned judgment dated 1<sup>st</sup> August, 2003 but no proceedings on remand have taken place till now. These petitions were adjourned from time to time awaiting the judgment first of the Division Bench of this Court in LPA No.413/2013 titled *State Trading Corporation of India Vs. New Delhi Municipal Council* and thereafter the judgment of the Supreme Court in the said matter.

3. Supreme Court has vide judgment dated 3<sup>rd</sup> February, 2016 in Civil Appeal No.2772/2009 titled *State Trading Corporation of India Vs. New Delhi Municipal Council* and other connected appeals pronounced on the matter.

4. In the light of the said judgment, the counsel for the respondent states that he withdraws the appeals against the judgment dated 1<sup>st</sup> August, 2003 wherein these petitions were preferred and accepts the order dated 5<sup>th</sup> August, 2002 impugned in the said appeals.

5. The respondent is permitted to withdraw the appeals though decided vide judgment dated 1<sup>st</sup> August, 2003.

6. Resultantly, the judgment dated 1<sup>st</sup> August, 2003 has become otiose and these petitions challenging the same have become infructuous and are disposed of as such.

No costs.

**RAJIV SAHAI ENDLAW, J**

**MARCH 02, 2016**

‘gsr’..