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

+ W.P.(C) 2675/2016 & CM No.11310/2016 (for stay).

DAVINDER SINGH

..... Petitioner

Through: Ms. Rashmi Chopra and Mr. Saurabh
Tiwari, Advs.

versus

MUNICIPAL CORPORATION OF DELHI

..... Respondent

Through: Ms. Madhu Tewatia with Mr. Sachin
Saini, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **30.03.2016**

1. This order is in continuation of the earlier order dated 28th March, 2016.
2. Amended memo of parties showing North Delhi Municipal Corporation (NrDMC) as respondent has been filed and the counsel for the respondent NrDMC appears.
3. It is *inter alia* the contention of the petitioner that the assessment order of the respondent NrDMC was set aside vide order dated 15th April, 2012 in CWP No.224/2002 and without passing any fresh order as was directed the impugned demand has been raised.
4. The counsel for the respondent NrDMC states that the demand is in pursuance to an *ex parte* Assessment Order dated 12th November, 1999 and which was not challenged. She however without prejudice to her rights and contentions states that a date of hearing be fixed for appearance of the petitioner before the concerned official of the respondent NrDMC for a fresh

assessment order to be passed after hearing the petitioner. It is further stated that the petitioner be also directed to furnish all documents required therefor.

5. The aforesaid course of action is agreeable to the counsel for the petitioner on the condition that all pleas will remain open to the petitioner.

6. The petition is thus disposed of with the following directions:-

- (a) Notice dated 18th March, 2016 impugned in this petition as well as the demand contained therein is set aside.
- (b) The petitioner/his representative to appear before Joint Assessor & Collector of the respondent NrDMC on 6th April, 2016 at 1500 hours along with all the relevant documents.
- (c) The Joint Assessor & Collector of the respondent NrDMC shall after hearing the petitioner and after seeking such other particulars from the petitioner as may be required pass a fresh assessment order on or before 17th May, 2016 and a copy of the said assessment order shall be furnished to the petitioner on 17th May, 2016 at 1500 hours.

6. All pleas available in law shall remain available to the petitioner as well as respondent NrDMC.

MARCH 30, 2016
'pp'

RAJIV SAHAI ENDLAW, J

