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

+ W.P.(C) 5626/2015 & C.M.No.10140/2016

RIEHEN INFOSOLUTIONS PRIVATE LIMITED..... Petitioner

Through Mr.B.L.Wali, Advocate.

versus

NORTH DELHI MUNICIPAL CORPORATION..... Respondent

Through Mr.Ajjay Aroraa and Mr. Kapil Dutta,
Adv. for North DMC.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **01.09.2016**

Petitioner is aggrieved by the fact that in spite of his having paid licence fee to the tune of Rs.2,16,111/- per month for a parking site at Tanga Stand Moti Nagar, New Delhi (KBZ). This proposition was commercially viable for the petitioner notwithstanding the fact that possession of the parking had been given to the petitioner on 12.3.2015 as immediately thereafter he could not run the parking because of certain obstructions at the site. To substantiate this submission petitioner has placed on record photographs which show that extensive digging work has been undertaken by the respondent at the site. This factum is disputed by leaned counsel for the respondent. His submission is that a surprise inspection has been conducted at the site on 28.9.2015 and the parking was found free from obstruction.

Be that as it may, the record further shows that on 28.10.2015 Assistant Commissioner of the North DMC has terminated the contract of the petitioner.

Grievance of the petitioner is that he has deposited a total

amount of Rs.16,45,927/- which includes the security amount as also licence fee which he has paid to the respondent. He is entitled to the refund of the said amount as this parking site has not been utilized by him. Learned counsel for the respondent submits that these are disputed questions.

At this stage, learned counsel for the petitioner submits that he will make an appropriate detailed representation to the Department along with documentary evidence to support his stand and this representation of the petitioner which is largely bordered on his submission that he is entitled to the refund of the aforementioned amount which was deposited by him. The respondent shall answer the same in accordance with law within four weeks from the date of representation to the respondent. Needless to state that any observation made in this order will not come in the way of the Department while deciding the representation of the petitioner.

In case, the petitioner is aggrieved by the order on his representation, he is at liberty to seek appropriate remedy against that order.

With these directions petition disposed of.

Order dasti.

INDERMEET KAUR, J

SEPTEMBER 01, 2016

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