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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5787/2017**
ASHWANI MEHRA

..... Petitioner

Through Mr. Subhash C. Jindal, Adv.
versus

NEW DELHI MUNICIPAL COUNCIL

..... Respondent

Through Mr. Arjun Mitra and Mr. Abhishek
Misra, Advs.

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% **12.07.2017**

The petitioner is aggrieved; his submission is that his representations dated 14.03.2017 giving a detail of his submission has not been answered by the Department. His submission is that he has a limited prayer which is that the aforementioned representations should be answered by the Department. This representation has been perused. The petitioner appears to be aggrieved by certain property tax which has been levied upon the aforementioned property for period from 01.12.2001 to 31.03.2005; 01.04.2005 to 31.03.2006 and 01.04.2006 up to 31.03.2008. Submission is that the rental of the property on this period of time was much lesser; details find mention; rateable value should have been calculated on the annual rent; the rateable value calculated by the respondent at Rs.3,24,778/- is incorrect.

A perusal of the petition shows that the petitioner had become the recorded owner of this property only on 18.04.2008. This is clear from the averments made in the petition. This is also the answer by the petitioner on a query put to him. The property tax prior to the

period of 01.04.2008 i.e. the period when the petitioner was not the owner of this property, should not concern him as he was admittedly only a tenant in that period and thus there was no liability upon him to pay any property tax. This representation cannot be directed to be answered by the Department. This petition is an abuse of the process of the Court. It is dismissed with cost quantified at Rs.10,000/-.

INDERMEET KAUR, J

JULY 12, 2017

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