

\$~62

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

+ **W.P.(C) 7876/2017**

M/S ALLIANCE FRANCAISE DE DELHI Petitioner

Through **Mr.Vinay Garg and Mr.Sandeep
Sapra, Advocates.**

versus

NEW DELHI MUNICIPAL COUNCIL

..... Respondent

Through **Mr.Arjun Mitra, Advocate.**

CORAM:

HON'BLE MS. JUSTICE INDERMEET KAUR

ORDER

% 06.09.2017

C.M. No.32562/2017 (exemption)

Exemption is allowed subject to just exceptions. Application disposed of.

W.P.(C) 7876/2017 & C.M. No.32561/2017

Petitioner is a registered Society registered under the Societies Registration Act, 1860 it is engaged in imparting education in the French Language; it commenced its operation in the year 2004. The petitioner is aggrieved by the property tax demand which has been raised by the respondent upon the petitioner. The order passed by the Assessing Officer (of the respondent) was the subject matter of an appeal before the Appellate Body. Learned District Judge (Appellate Body) had considered the case on merits and while setting aside the

order dated 14.12.2006 (of the Assessing Officer of the NDMC) had remanded the matter back to the Competent Authority to decide the objections of the petitioner in accordance with law. This order was passed on 28.01.2013. The grievance of the petitioner is that till date the matter has not been decided by the Competent Authority.

On advance notice learned counsel for respondent has put in appearance. He does not dispute the factual narration as aforenoted. He, however, prays for some time to dispose of the petition of the petitioner which is pending before the Assessing Officer of the NDMC. This Court notes that the matter had been remanded back on the objections raised by the petitioner against the levy of property tax for the year 2004-05. The Assessing Officer is directed to dispose of the objections of the petitioner after giving a due hearing to the petitioner within an outer limit of three months from today; the petitioner will be permitted to place his documents before the Assessing Officer. Needless to state that he shall pass a speaking order in accordance with law. No coercive steps will be taken till that time.

Petition disposed of.

Order dasti under signatures of the Court Master.

INDERMEET KAUR, J

SEPTEMBER 06, 2017

ndn