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

\+ W.P.(C) 2858/2018

R J TRADE WINGS (P) LTD ..... Petitioner
Through: Mr.Subhash C. Jindal, Adv.

versus

NEW DELHI MUNICIPAL COUNCIL & ORS ..... Respondents
Through: Ms.Malvika Trivedi, Mr.Arjun Malik, ASC with Ms.Sriparna Dutta, Adv.

CORAM:
HON'BLE MS. JUSTICE REKHA PALLI

<u>O R D E R</u>
% 10.04.2018

Vide the present petition, the petitioner impugns the Property Tax Bill dated 11.12.2017 issued by the respondents, whereby the earlier Rateable Value of the petitioner's property has been increased from Rs.3,76,200/- to Rs.1,10,25,600/- w.e.f. 01.04.2016 on a comparable rent basis. The petitioner is also praying for a direction to the respondents to re-assess and raise the Property Tax Bill in respect of premises no. K-43, First Floor, Opp. Plaza Cinema, Connaught Place, New Delhi-110001 after following the procedure prescribed in Chapter VIII of the NDMC Act, 1994.

Ms.Malvika Trivedi, Advocate who appears on advance notice, for the respondents submits that the present petition is not maintainable as the petitioner has an efficacious alternate remedy by way of an appeal under Section 115 of the NDMC Act.

At this stage, learned counsel for the petitioner submits that even though the petitioner is aware of the alternate remedy since, the respondents have while raising the impugned bill overlooked certain very vital undisputed facts, the petitioner has submitted a representation dated 27.12.2017 to the respondents with the hope that the respondents would re-examine the matter and he, therefore, submits that at this stage, he would be satisfied if the respondents are directed to pass a reasoned and speaking order on the aforesaid representation of the petitioner.

Keeping in view the limited prayer made by the petitioner, the present petition is disposed of with a direction to the respondents to dispose of the petitioner's pending representation by passing a reasoned and speaking order on the same within four weeks.

Needless to say that this Court has not expressed any opinion on the plea of learned counsel for the petitioner, that in the facts of the present case, a writ petition challenging the revised property tax bill is maintainable, despite an alternate efficacious remedy available to the petitioner is by way of an appeal under Section 115 of the NDMC Act.

REKHA PALLI, J

APRIL 10, 2018

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