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

\+ W.P.(C) 544/2019

\+ W.P.(C) 551/2019

\+ W.P.(C) 556/2019

\+ W.P.(C) 561/2019

\+ W.P.(C) 565/2019

M/S JAMIA HAMDARD ..... Petitioner

Through Mr.Prashanto Chandra Sen, Sr. Adv. with Mr.Sarwar Raza, Mr.S. Ahmad and Mr.Takrim Ahsan Khan, Advs.

versus

SOUTH DELHI MUNICIPAL CORPORATION..... Respondent

Through Ms.Madhu Tewatia, Adv.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

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

% **09.12.2019**

<u>CM No. 52594/2019 in W.P.(C) 544/2019</u>

<u>CM No. 52597/2019 in W.P.(C) 551/2019</u>

<u>CM No. 52600/2019 in W.P.(C) 556/2019</u>

<u>CM No. 52591/2019 in W.P.(C) 561/2019</u>

<u>CM No. 52590/2019 in W.P.(C) 565/2019</u>

1. These applications are filed seeking stay of the show cause notice dated 27.11.2019 and to direct the respondent not to take any coercive action to recover the disputed tax amount.

2. The present writ petitions are filed seeking a direction to quash the order dated 25.10.2018 passed by the Municipal Taxation Appellate Tribunal for the assessment years 2011-12, 2012-13, 2013-14, 2014-15 and 2015-2016 respectively. During the pendency of these writ petitions, the respondent issued the impugned attachment orders as there are no interim orders staying the demand raised by the respondent.

3. Learned counsel appearing for the respondent states that for earlier years on the same basis, the appeals filed by the petitioner have been dismissed by the Municipal Taxation Tribunal. She further states that only for some of the years writ petitions have been filed and not for the full substantial period.

4. As the appeals are pending before the Municipal Taxation Tribunal, learned senior counsel for the petitioner after some arguments, without prejudice to his rights and contentions offers to deposit the principal tax amount demanded for the assessment year 2011-12 so that the appeal relating to the said period can be heard and disposed of by the Municipal Taxation Tribunal. It is ordered accordingly.

5. The petitioner will deposit the said principal tax amount within four weeks from today. Thereafter, the MCD Taxation Tribunal is requested to expeditiously dispose of the appeals preferably within a period of six months.

6. Subject to the above directions, the present application stands disposed of. Till the disposal of the appeals by the MCD Taxation Tribunal, no coercive action shall be taken against the petitioner for the assessment years from 2012-13 till 2015-16.

W.P.(C) Nos. 544/2019, 551/2019, 556/2019, 561/2019 & 565/2019

It is admitted by the learned senior counsel for the petitioner and the learned counsel for the respondent that with the above orders, nothing further survives in these petitions.

The petitions stand disposed of. Pending applications also stand disposed of.

DECEMBER 09, 2019/rb **JAYANT NATH, J**