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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 461/2019 & CM. No. 2092/2019
GIIR COMMUNICATIONS INDIA PVT LTD Petitioner

Through: Mr. Bhuvanesh Sehgal and
Mr. Anubhav Bhasin, Adv.

versus

SOUTH DELHI MUNICIPAL CORPORATION & ANR

..... Respondent

Through: Mr. Dhanesh Relan, Standing
Counsel with Ms. Gauri Chaturvedi,
Adv.

CORAM:

HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER

% **13.03.2019**

1. The challenge in this writ petition is to the action of the respondent nos. 1 and 2 interfering with the operation of, obstructing / removing the LED screens for display of advertisements inside the Malls.
2. One of the grounds for filing the writ petition is that the respondents intends to take the action without giving hearing to the petitioner.
3. Mr. Sanjay Poddar, learned Sr. Counsel appearing for the respondent Corporation states that the Corporation shall consider the writ petition as a representation of the petitioner and shall pass a speaking order within 10 days. Mr. Poddar also states that hearing shall also be given to the representative of the petitioner.
4. The aforesaid submission made by Mr. Poddar is agreeable to the

learned counsel for the petitioner. Accordingly, it is directed that the writ petition shall be treated as a representation. The petitioner shall appear before the Assistant Commissioner (Advertisement), SDMC, Civic Centre, New Delhi on March 19, 2019 at 3 PM and the authority shall give hearing to the representative and shall pass a speaking order within 10 days thereafter. It is made clear that no further notice shall be issued to the petitioner. Pending hearing and passing of the final order, no coercive action shall be taken against the petitioner.

5. The aforesaid is subject to the undertaking to be given by the petitioner that in case, the respondent holds that the petitioner is liable to pay tax for installation of LED, Video Screens and other media equipment etc., the tax liability as applicable would be borne by the petitioner. The said undertaking shall be filed in this Court within two days from today with a copy to the learned counsel for the respondent / SDMC.

The petition stands disposed of.

CM. No. 2092/2019

Dismissed as infructuous.

Dasti.

V. KAMESWAR RAO, J

MARCH 13, 2019/jg