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

+ **W.P.(C) 3561/2019**

**WELFARE ASSOCIATION FOR
DOWNTRODDEN (REGD.)**

..... Petitioner

Through: Mr Bhupendra Singh Chauhan,
Advocate.

versus

**GOVERNMENT OF N C T OF DELHI AND
ORS.**

..... Respondents

Through: Ms Hetu Arora Sethi, ASC, GNCTD
with Mr Siddharth Agarwal,
Advocates for R-1 and R-2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **08.04.2019**

CM No.16304/2019

1. Allowed, subject to all just exceptions.

W.P.(C) 3561/2019 & CM No.16305/2019

2. The petitioner has filed the present petition, *inter alia*, impugning a notice dated 03.07.2018 issued by the Assistant Collector Grade-II (Defence Colony), Government of NCT of Delhi. It is the petitioner's case that it had received a recovery notice dated 27.01.2018, indicating that the District Collector, Nuh, Haryana had issued a memo for recovery of an amount of ₹2 Lakhs. It is stated that in compliance with the said notice, the petitioner had paid a sum of ₹2 Lakhs by way of a demand draft in favour of the Joint Director, District Industries Centre, Nuh, which was deposited with the Assistant Collector, Grade-I/SDM (Defence Colony), Government of NCT

of Delhi – the authority that had issued the notice dated 27.01.2018 for recovery.

3. The petitioner states that having discharge its liability, the question of further recovery does not arise. The petitioner has, therefore, assailed the recovery notice dated 03.07.2018, for recovery of a sum of ₹1,79,900/-.

4. It is noticed that the impugned recovery notice has been issued pursuant to a memo dated 05.06.2018 (Nuh) DIS/Nuh/WADA/53/1) while, the recovery notice dated 27.01.2018, was issued pursuant to RC No.113/DRA dated 11.12.2017. It is apparent from the above that the said impugned recovery notice is pursuant to a separate recovery certificate.

5. The grievance of the petitioner, essentially, is with regard to the recovery certificates being issued by the District Collect, Nuh, Haryana.

6. In the aforesaid view, the petition is disposed of with liberty to the petitioner to avail of its remedies in respect of the relevant recovery certificates issued by the District Collector, Nuh, Haryana. Since, the petitioner claims that it has not received any such notice/ recovery certificate from the District Collector, Nuh, Haryana, the respondents are directed to provide the petitioner a copy of the same within a period of two weeks from today. The respondents are further directed not to take any coercive steps against the petitioner for a further period of four weeks from today to enable the petitioner to avail of appropriate remedies.

7. The petition is disposed of with the aforesaid directions. The pending application is also disposed of.

VIBHU BAKHRU, J

APRIL 08, 2019/MK