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

Date of Decision: 27.11.2019

\+ **W.P. (C) No.5185/2019**

SURAJ PARKASH MANCHANDA ..... Petitioner

Through: Petitioner in person.

versus

GOVT. OF NCT OF DELHI ..... Respondent

Through: Mr. Ramesh Singh, SC, GNCTD with Mr. Chiraya Jain & Mr. Ishan Agrawal, Advocates for GNCTD.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT

D.N. PATEL, CHIEF JUSTICE (ORAL)

1. This Public Interest Litigation has been preferred with the following prayers :-

> *"i. to issue a writ in the nature of mandamus and/or any other appropriate direction to the Respondent - Govt of NCT of Delhi to rationalize circle rates of immovable properties / built-up flats and to fix minimum rates of flats commensurate with the category of the colony/area.*
>
> *ii. issue a writ in the nature of mandamus and/or any other appropriate direction to the Respondent - Govt. of NCT of Delhi to constitute a permanent expert valuation*

committee/cell for valuation of market value of properties in any area and further ensure that circle rates are brought closer to current market rate of properties to prevent undervaluation / overvaluation, which may thereafter be revised by Govt. of NCT of Delhi at regular intervals."

2. Having heard petitioner in person and learned counsel for the respondent, it appears that this petitioner is in search of finalisation of circle rates of the immoveable properties/built-up flats and to fix the minimum circle rates for the flats commensurate with the category of the colony/area.

3. Looking to the affidavit filed by the respondent, it appears that fixing the circle rate is a policy decision which is to be taken by the respondent. Moreover, fixing the circle rate is a complex phenomenon. The fixing of the circle rate depends on varieties of factors. After several discussions and deliberations, such type of circle rates ought to be fixed. It happens sometimes that the respondent-Government may constitute committee/committees to arrive at correct circle rate because circle rate has direct nexus with the market value, with the stamp duty and slight error in the circle rate may generate several litigations before varieties of Authorities and Courts. Thus, fixing of the circle rate at the behest of the respondent ought to be done patiently. The circle rates cannot be fixed so hurriedly and therefore, we see no reason to give any direction or to issue any writ upon respondent much less the writ of mandamus to hurriedly finalize the circle rates more so when the respondent has already constituted a committee of experts and they are working for the finalization of the circle rates.

4. With these observations, this writ petition is hereby disposed of.

CHIEF JUSTICE

C.HARI SHANKAR, J.

NOVEMBER 27, 2019
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