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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 11410/2018**
NARESH KUMAR

..... Petitioner
Through: Mr. Gemini Sharma, on behalf of
Adv. Mr. Suresh Sharma.

versus

SOUTH DELHI MUNICIPAL CORPORATION (SDMC) & ANR
..... Respondent
Through: Ms. Garima Prashad, SC for SDMC.
Mr. Kushgra Panday, Adv. for
GNCTD.

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO

ORDER
% **29.07.2019**

The present petition has been filed by the petitioner by the following
prayer:-

“(i) Issue writ of certiorari thereby quashing the letter of demand dated 26.09.2018 bearing No.2789/AC/SZ/2018 as Annexure P11, the same being per se illegal, void and ineffective and pass any other order or direction that may be appropriate to quash/set aside the said letter/demand notice.

(ii) Issue a writ of prohibition thereby restraining the respondent no.1 from acting upon the impugned letter/notice of demand dated 26.09.2018 bearing no.2789/AC/SZ/2018 and to further restrain the said respondent to refrain from arising any unauthorized and illegal demand from the petitioner and further restraining the respondent and its officials from sealing the said Kiosk and also the respondent no.2 and its officials from

demolition, removing, erasing and damaging the said Kiosk in any manner whatsoever.

(iii). Pass any other order or direction in favour of the petitioner which may be deemed fit and proper under the circumstances of the case and the costs of this petition.”

The grievance of the petitioner is that a demand letter has been issued without seeking response from the petitioner.

Learned counsel for the respondent No.1 state on instructions that the respondent has decided to revisit the matter inasmuch as a show cause notice dated July 25, 2019 has been issued, calling upon the petitioner to attend the office of the Assistance Commissioner, South Zone on August 17, 2019 with all relevant documents to reassess the matter. A copy of the notice has been given to the learned counsel for the petitioner, who states, the petitioner shall respond to the notice to enable the respondent pass an order. If the petitioner is aggrieved by any order, he shall take action in accordance with law.

In view of the submissions noted above, writ petition is disposed of.

V. KAMESWAR RAO, J

JULY 29, 2019 /k