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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 871/2020, CM APPLs. 2740 & 4965/2020
INDER BIR SINGH CHHABRA Petitioner
Through Mr.Gaurav Bahl, Adv.

versus

SOUTH DELHI MUNICIPAL
CORPORATION & ANR Respondents
Through Ms.Richa Dewan, Additional
Standing Counsel for R-1 and R-2/
SDMC.

CORAM:
HON'BLE MR. JUSTICE JAYANT NATH

ORDER
% **13.02.2020**

1. This writ petition is filed by the petitioner seeking to quash/set aside the impugned notice dated 11.11.2019 issued by the respondent to the petitioner under sections 155 and 156 of the Delhi Municipal Corporation (Amendment) Act, 2003.
2. The case of the petitioner is that on 29.09.2011 a sale deed was executed in favour of the petitioner for the property bearing Khasra Nos.32/23/2, 47/3, 4, 5/1, 6/2, 7 of Village Jonapur, New Delhi. On 14.07.2014, respondent No.2 issued a notice alleging that there is short/non-payment of vacant land tax for the years 2004-2005 to 2012-2013. A show cause notice has also been issued by respondent No.2 under section 123(D) of the DMC (Amendment) Act, 2003.
3. Learned counsel for the petitioner has urged that in view of section 455 read with section 123B(10) of the DMC Act, 1957, the claim of the

respondents is barred by limitation. He however submits that without prejudice to his rights and contentions, the respondents may treat this writ petition as a representation of the petitioner and may deal with the contentions of the petitioner as per law.

4. In the interest of justice, let the respondents deal with the present petition as a representation. They will pass an appropriate speaking order. In case, any additional documents are required, the respondents are free to request the petitioner to file such additional documents. The representation will be disposed of within 45 days from today.

5. An oral hearing may also be given by the respondents to the petitioner. The petitioner will appear before the Joint Assessor and Collector, A&C Department, HQ. at E-1 Block, 20th Floor, Civic Centre, Minto Road, New Delhi on 25.02.2020 at 11:00 a.m.

6. Till disposal of the representation of the petitioner, no coercive steps shall be taken against the petitioner. The order passed by the respondents shall be duly communicated to the petitioner.

7. Petition is disposed of. All pending applications, if any, are also disposed of.

8. A copy of this order be given *dasti* under the signatures of the court master.

JAYANT NATH, J.

FEBRUARY 13, 2020/v