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

+ W.P.(C) 2214/2020 & CM APPL. 7744-7745/2020

MR. ROHAN GUPTA Petitioner

Through Mr.Ankit Jain, Mr.Shantanu Agarwal
and Mr.Abhay Pratap Singh, Advs.

versus

NORTH DELHI MUNICIPAL CORPORATION Respondent

Through Ms.Madhu Tewatia and Mr.Adhirath
Singh, Advs.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **26.02.2020**

This writ petition is filed by the petitioner seeking to quash the impugned notice dated 11.10.2019 issued by Assistant Assessor and Collector, City S.P.Zone, North DMC. Other connected reliefs are also sought.

The grievance of the petitioner is that he is a director in a private company, namely, Meera & Co.Ltd. which is the tenant of a portion of the ground floor of the property in question, namely, Municipal No.1/16A, Asaf Ali Road, New Delhi.

It is pleaded that on 11.10.2019 a notice has been issued by the respondent under section 123D of the DMC (Amendment) Act, 2003 stating that as per available record, the Self Assessment Property Tax Return has not been filed by the petitioner for the period w.e.f. 20.04.2005 to 20.09.2020. A demand notice for a sum of Rs.2,96,281/- was issued towards interest upto 31.03.2004. A show cause notice was also issued on 24.02.2020.

Learned counsel for the petitioner submits that the petitioner is only a director of the tenant who is a protected tenant under the Delhi Rent Control Act. That apart, he submits that the alleged landlord, namely, Smt.Archana Gupta had filed an eviction petition against the tenant, namely, Meera & Col.Ltd., which is pending adjudication before the learned ARC.

Learned counsel for the respondent/North DMC submits that despite a notice the petitioner did not appear for hearing. She submits that the petitioner should go for a hearing. She also submits that the respondent will make an attempt to sort out the matter.

Let the authorised representative of the petitioner appear before the Assistant Assessor and Collector, City S.P.Zone, North DMC on 12.03.2020 at 11:00 A.M. with all relevant documents relating to the property in question available with the petitioner.

Learned counsel for the respondent/North DMC states that pursuant to this hearing, the respondent/North DMC will pass a reasoned order as per law.

In view of the above, the impugned order/notice will not be enforced. The fresh order that is passed pursuant to the hearing shall not be implemented for a period of 10 days from the date of service of the same on the petitioner.

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

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

JAYANT NATH, J.

FEBRUARY 26, 2020/v