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

+ **W.P.(C) 6536/2020 & CM APPL. 22878/2020**

PRADEEP VERMA

..... Petitioner

Through: Mr. Arun Batta, Mr. Abdul Vahid and
Ms. Neha Kumari, Advocates.

versus

EAST DELHI MUNICIPAL CORPORATION Respondent

Through: Mr. Tushar Sannu, ASC for EDMC
with Ms. Ankita Bhadoriya,
Advocate.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

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21.09.2020

The hearing was conducted through video conferencing.

1. The petitioner was granted a contract for managing a parking site of an area of 1420 sq. metres in Shamshan Ghat, Under Boundary Wall, Geeta Colony, Delhi. However, the operational area at the site was only 777 sq. metres, therefore, for the balance another land of 756 sq. metres in the vicinity was offered by the East Delhi Municipal Corporation ('EDMC'). He has accepted the same and is paying the Corporation the due monies for both the areas. Indeed, he has paid all the requisite monies till September 2020.
2. Now, a fresh tender has been floated by the Corporation for 2788 sq. metres of land, for granting licence of parking space in Shamshan Ghat, Geeta Colony. This 2788 sq. metres will be separate from the land which has been presently licenced to the petitioner. In the circumstances, let the petitioner's area be clearly demarcated at the

site by the EDMC on Thursday i.e. 24.09.2020 at 10:30 a.m., where the petitioner shall be present, alongwith his team of surveyors/ assistants, as he may desire.

3. The petitioner also impugns the demand notice dated 07.09.2020 calling upon him to pay Rs.53,19,937/- as advance licence fee till January 2021 apropos Shamshan Ghat, Under Boundary Wall, Geeta Colony, Delhi.
4. Mr. Tushar Sannu, the learned ASC for the EDMC, submits that the said demand notice is in terms of the contract between the parties; it already factors in the remission in licence fee because of the disruption in normal/expected volume of traffic as a result of the current pandemic.
5. Since the parking area is to be surveyed and delineated yet again, let a fresh demand notice be raised by the Corporation within 2 weeks from today keeping the aforesaid demarcation exercise into consideration. Till then, the earlier demand notice of 07.09.2020 shall be kept in abeyance.
6. The writ petition, alongwith pending application, is disposed-off in terms of the above.
7. Should the petitioner have any grievances, it will be open to him to pursue his remedies, as may be available in law.
8. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through email.

NAJMI WAZIRI, J

SEPTEMBER 21, 2020

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