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

+ **W.P.(C) 2262/2024**

RAJDHANI VANIJYA PRIVATE LIMITED Petitioner

Through: Mr. Vipul Pankaj Sanghi, Ms.
Ananya Kar Sanghi and Mr. Prateek
Vaish, Advs.

versus

NEW DELHI MUNICIPAL COUNCIL Respondent

Through: Mr. Sanjay Sharma, ASC for NDMC.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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20.02.2024

CM APPL. 9456/2024 (Exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(C) 2262/2024 and CM APPL. 9455/2024 (Stay)

1. The present petition assails an order dated 02.02.2024, bearing A.O. No.T.I-(3)/880 D.D. (TAX), passed by the respondent/NDMC under Section 72 of the NDMC Act, 1994 in respect of the property situated at House No.10, Panchsheel Marg, Chanakyapuri, New Delhi, bearing PID No.10116.
2. A perusal of the order reveals that the said order has been passed without affording an opportunity of hearing to the petitioner.
3. Learned counsel for the respondent points out that the order itself notes that the opportunity of hearing was granted to the petitioner, however, not availed by the petitioner.
4. Be that as it may, considering the averments made in the present



petition, and to obviate the objection regarding denial of hearing to the petitioner, after some hearing, learned counsel for the respondent submits that the order dated 02.02.2024 shall be withdrawn by the respondent and a fresh order shall be passed by the respondent after affording an opportunity of hearing to the petitioner. He further submits that a hearing shall be provided to the petitioner by the concerned Deputy Director, Tax on 23.02.2024 at 02.30 PM. It is directed accordingly.

5. Let a speaking order be passed within a period of three weeks thereafter. Needless to say, if the petitioner is aggrieved therewith, it shall be entitled to avail appropriate appellate remedies, as provided in the NDMC Act, 1994.

6. With the aforesaid observations, the present petition stands disposed of.

SACHIN DATTA, J

FEBRUARY 20, 2024/cl