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

\+ W.P.(C) 2334/2024 & CM APPL. 9686/2024

NIDHI VARMA .....Petitioner

Through: Mr. Sanjeev Mahajan, Mr Rishabh Varshney and Mr.Pranjal Tandon, Advocates.

versus

NEW DELHI MUNICIPAL COUNCIL .....Respondent

Through: Ms. Kanika Agnihotri, SC for NDMC with Mr. Sachin Sharma, Advocate.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **09.12.2024**

1. The petitioner has approached this Court under Article 226 of the Constitution against an Assessment Order dated 24.11.2023 passed by the respondent - New Delhi Municipal Council ["NDMC"] under Section 72 of the NDMC Act, 1994 in respect of her property [*Space No.2, Vijaya Building, 17, Barakhamba Road, New Delhi*].

2. The principal ground urged on behalf of the petitioner is that the order fails to consider the objections filed by her to a notice for fixation of the rateable value issued on 17.03.2015. The petitioner has placed a copy of the said notice on record, as also her objections dated 19.03.2015/01.04.2015, which are stated to have been received by NDMC on 01.04.2015.

3. Ms. Kanika Agnihotri, learned counsel for NDMC, has taken

instructions, and submits that NDMC will pass a fresh assessment order, considering the objections filed by the petitioner and after giving her a hearing at a date and time to be fixed by the Court. This suggestion is acceptable to Mr. Sanjeev Mahajan, learned counsel for the petitioner, also.

4. In view of the above, the impugned order dated 24.11.2023 is set aside, and the matter is remanded to NDMC for passing of a fresh assessment order. For this purpose, the petitioner, or her authorised representative, may appear before the Assessing Authority (Tax), NDMC, on 16.12.2024 at 3PM. She may also submit a comprehensive representation at the said hearing. The respondent is directed to pass a fresh order considering the objections of the petitioner, and dealing with the submissions made by her on the said hearing.

5. The petition, alongwith pending application, is disposed of in these terms.

PRATEEK JALAN, J

DECEMBER 9, 2024
SS/Kb/