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

+ **CONT.CAS(C) 600/2024 & CM APPL. 21135/2024**

GYAN MANDIR SOCIETY & ANR.

..... Petitioners

Through: Mr. Pramod Gupta, Ms. Adyanshi
Kashyap, Ms. Nicole Gomez, Mr.
Harsh Jaiswal, Advocates

versus

MR. SUVASISH DAS & ANR.

..... Respondents

Through: Mr. Ajay Jain, SPC with Mr. Krishna
Sharma, Ms. Bijay Lakshmi, Mr.
M.N. Mishra, Advocates
(M:9990710127)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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09.04.2024

CM APPL. 21135/2024 (For Exemption)

1. Exemption allowed, subject to just exceptions.
2. Application is disposed of.

CONT.CAS(C) 600/2024

3. The present petition has been filed alleging willful disobedience of the order dated 15th January, 2024 passed in *W.P.(C) 5526/2023*. By way of the aforesaid order, directions had been issued to the respondent-L&DO to give the basis of the calculations to petitioners within a period of four weeks, to enable the petitioners to file a meaningful challenge to the demand letter dated 02nd November, 2023 issued by the respondent.
4. Learned counsel for the petitioners submits that the earlier demand raised by the respondents, was incomprehensible and not discernible. By



way of the order dated 15th January, 2024, clear directions had been issued to the respondents to give the basis of the demand and calculations to the petitioners.

5. Learned counsel for the petitioners further submits that after the present petition was served upon the respondents, an order dated 05th April, 2024 has been issued by the respondents. By referring to the aforesaid document, he submits that the said document again makes mention of certain documents, which have not been provided to the petitioners.

6. Per contra, learned counsel for the respondents on advance notice submits that the order dated 15th January, 2024 passed by this Court has been complied with. He submits that the speaking order dated 05th April, 2024 has been issued by the respondents, wherein the basis of the calculations, have been given to the petitioners.

7. At this stage, learned counsel for the petitioners submits that the petitioners shall be satisfied if all the documents that are mentioned in the order dated 05th April, 2024, issued by the respondents are supplied to him.

8. This Court notes that by order dated 15th January, 2024, the following directions had been issued:

“xxx xxx xxx

3. This Court vide Order dated 20.09.2023 after noticing that charges are due and payable by the Petitioner, directed the Petitioner to approach the authorities for the purpose of quantification of charges as on 05.10.2023. In compliance of the said Order dated 20.09.2023, a demand letter dated 02.11.2023 has been filed in this Court by the Respondent/L&DO stating that a sum of Rs.10,17,21,565/- is recoverable from the Petitioner.

4. Learned Counsel for the Petitioner has handed over a letter dated 14.11.2023 submitted by the Petitioner to the Respondent/L&DO praying for the relevant documents, notifications and orders based on which the said amount has been quantified by the Respondent/L&DO.



5. *In response to the aforesaid letter dated 14.11.2023, a copy of the detailed calculation was given to the Petitioner and the same has also been handed over in Court by the learned Counsel for the Petitioner. It is stated by the learned Counsel for the Petitioner that a perusal of the said document does not reflect the basis on which the amount has been calculated by the Respondent/L&DO. He states that there are only scribbles which cannot be discerned by anyone.*

6. *Pursuant to the aforesaid document given by the Respondent/L&DO, the Petitioner has sent another letter dated 11.12.2023 to the Respondent/L&DO stating that the calculation given by the Respondent/L&DO is indecipherable and a year wise computation of the calculations along with reference to the relevant clause of the perpetual lease deed may be given to the Petitioner with respect to the demand letter dated 02.11.2023.*

7. *In view of the above, the Respondent/L&DO is directed to give the basis of the calculations to the Petitioner within a period of four weeks from today to enable the Petitioner to file a meaningful challenge to the demand in accordance with law.*

xxx xxx xxx”

9. Reading of the aforesaid order clearly shows that the basic grievance of the petitioners was that the calculation given by the respondent-L&DO was indecipherable. Thus, categorical directions had been issued to the respondent to give the basis of calculations to the petitioners, so that the petitioners were able to file a meaningful challenge to the demand raised by the respondents.

10. Today, copy of the speaking order dated 05th April, 2024 has been handed over to this Court, which according to the respondents, is in compliance of the order dated 15th January, 2024. The said order dated 05th April, 2024 issued by the respondent-L&DO, Ministry of Housing and Urban Affairs, Government of India, is taken on record.

11. Considering the submissions made before this Court, it is directed that all the documents which have been mentioned by the respondent in its order



dated 05th April, 2024, shall be supplied to the petitioners.

12. For this purpose, the petitioners shall visit the office of the respondents on 16th April, 2024 at 11:00 AM and meet the Deputy Land and Development Officer (“Dy. L&DO”), who shall provide the requisite documents to the petitioners.

13. With the aforesaid directions, the present petition is disposed of.

MINI PUSHKARNA, J

APRIL 9, 2024/au