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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6541/2024, CM APPL. 27287/2024, CM APPL. 27288/2024**
TRAVEL CORPORATION INDIA LIMITED Petitioner
Through: Mr. Deepak Joshi and Mr.
Ramchandra Madan, Advs.
versus

NEW DELHI MUNICIPAL COUNCIL Respondent
Through: Mr. Abhinav Bajaj, ASC along with
Ms. Shilpa Ohri, Asst. SC, Mr.
Saksham Ojha and Ms. Geetanshi
Chandna, Advs.

CORAM:
HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

08.05.2024

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W.P.(C) 6541/2024

1. The present petition has been filed by the petitioner assailing the letter dated 22.05.2023 whereby the respondent/Office of Joint Director, Parking Management Department, New Delhi Municipal Council, Palika Kendra, Sansad Marg, New Delhi has demanded an amount of Rs.45,80,784/- (provisionally) including all taxes, with regard to the amount payable pursuant to a license deed dated 09.04.1992 in respect of a parking space at Chandra Gupta Marg, New Delhi.
2. The petitioner is aggrieved with the aforesaid demand, inter-alia, on two grounds :-
 - (i) Firstly, it is submitted that there is an apparent calculation error inasmuch as the payment of Rs. 15,00,000/- made by the petitioner on 15.11.2017 has not been accounted for;



(ii) Secondly, it is submitted that the petitioner cannot be saddled with any “penalty”, as reflected in the calculation sheet appended with the letter dated 22.05.2023.

3. Learned counsel for the respondent vehemently contends that the amount worked out/communicated to the petitioner *vide* letter dated 22.05.2023 has been correctly worked out. It is submitted that there has been abject neglect on the part of the petitioner in paying the requisite license fee to the respondent/NDMC despite the fact that the license deed specifically contemplates that the same is to be paid in advance by 10th day of every English Calendar. It is pointed out that even as per petitioner’s own admission, there has been no payment whatsoever after 2017.

4. After some hearing, the present petition is disposed of with the following directions:-

(i) The petitioner shall pay an amount of Rs.20,00,000/- to the respondent within a period of one week from today, without prejudice to its rights and contentions.

(ii) Upon payment of the aforesaid amount, the respondent shall interactively carry out an accounting/calculation exercise with the petitioner so as to re-work the amount payable by the petitioner. The petitioner’s request for revision/waiver of the penalty shall also be considered by the respondent taking into account the factual background highlighted by the petitioner in the present petition.

(iii) The aforesaid exercise shall be completed within a period of 4 weeks from the date of payment of the aforesaid amount of Rs.20,00,000/- by the petitioner.

5. It is further directed that till the conclusion of the aforesaid exercise,



the respondent shall not take any coercive steps for recovery of the balance amount payable by the petitioner in terms of the impugned letter dated 22.05.2024. However, the same shall not obviate other consequences that may ensue for non-payment of outstanding amount as demanded by NDMC.

6. The present petition, along with all the pending application/s, stands disposed of in the above terms.

7. In case the petitioner has any outstanding grievance upon completion of the aforesaid exercise, it shall be entitled to avail appropriate remedies in accordance with law.

SACHIN DATTA, J

MAY 8, 2024/at