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

+ **W.P.(C) 3772/2024 and CM APPL. 15526/2024**

RAVI KUMAR PRINJA & ANR.Petitioners
Through: **Mr. Subhash C. Jindal, Advocate.**

versus

NEW DELHI MUNICIPAL COUNCIL & ORS.Respondents
Through: **Mr. Sanjay Sharma, ASC** with
Mr. Raghav Alok, Advocate for
Respondents/NDMC.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
19.02.2025

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1. This writ petition is preferred on behalf of the Petitioners laying a challenge to the Assessment Order dated 25.01.2023 passed by NDMC as also for a direction to NDMC to rectify the assessment taking into consideration the bifurcation/Assessment Orders dated 23.11.2022 and 02.02.2023 in respect of adjoining offices at the same floor in the same building.
2. Mr. Sanjay Sharma takes a preliminary objection to the maintainability of the writ petition on the ground that the Petitioners have an alternate statutory remedy of appeal under Section 115 of the New Delhi Municipal Council Act, 1994 ('NDMC Act').
3. In my view, there is merit in the preliminary objection. No ground is made out by the Petitioners for invoking the writ jurisdiction of this Court



under Article 226 of the Constitution of India bypassing the appellate remedy. Accordingly, without entering into the merits of the case, this writ petition is dismissed with liberty to the Petitioners to avail the appellate under Section 115 of the NDMC Act.

4. At this stage, learned counsel for the Petitioners submits that a direction be issued to the appellate Court to decide the appeal expeditiously as the Petitioners are senior citizens. Needless to state that if the appeal is filed, an endeavour shall be made by the appellate Court to decide the same as expeditiously as possible taking into account the age of the Petitioners. If the appeal is filed within four weeks from today, appellate Court will also take into consideration that Petitioners had *bona fide* filed this writ petition and the same is pending in this Court since March, 2024, while considering the application for condonation of delay.

5. Pending application stands disposed of.

JYOTI SINGH, J

FEBRUARY 19, 2025

B.S. Rohella/shivam