$~89, 93 and 96

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

\+ W.P.(C) 3127/2025 and CM APPL. 14802/2025

SAVITA TANEJA .....Petitioner

Through: Mr. Kshitiz Mahipal and Ms. Khairun Nisa, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI AND ANR .....Respondents

Through: Mr. Tushar Sannu, Advocate for Respondent/MCD.

93

\+ W.P.(C) 3161/2025 and CM APPL. 14870/2025

FATEH ASLAM .....Petitioner

Through: Mr. Kshitiz Mahipal and Ms. Khairun Nisa, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI AND ANR .....Respondents

Through: Mr. Tushar Sannu, Advocate for Respondent/MCD.

96

\+ W.P.(C) 3176/2025 and CM APPL. 14892/2025

VAIBHAV TANEJA .....Petitioner

Through: Mr. Kshitiz Mahipal and Ms. Khairun Nisa, Advocates.

versus

MUNICIPAL CORPORATION OF DELHI AND ANR .....Respondents

Through: Mr. Tushar Sannu, Advocate for Respondent/MCD.

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 01/07/2025 at 23:37:47

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% 12.03.2025

1. W.P.(C) 3127/2025 is preferred on behalf of the Petitioner under Article 226 of Constitution of India laying a challenge to Assessment Order dated 08.01.2025 passed under Section 123D of the Delhi Municipal Corporation Act, 1957 ('1957 Act') as also revised property tax bill dated 14.02.2025 for an amount of Rs.19,45,015/- raised by MCD.

2. W.P.(C) 3161/2025 is preferred on behalf of the Petitioner under Article 226 of Constitution of India laying a challenge to Assessment Order dated 03.10.2024 passed under Section 123D of 1957 Act as also revised property tax bill dated 03.10.2024 for an amount of Rs.22,67,144/- raised by MCD.

3. W.P.(C) 3176/2025 is preferred on behalf of the Petitioner under Article 226 of Constitution of India laying a challenge to Assessment Order dated 08.01.2025 passed under Section 123D of 1957 Act as also revised property tax bill dated 14.02.2025 for an amount of Rs.34,62,424/- raised by MCD.

4. Mr. Tushar Sannu, appearing on behalf of MCD on advance copy of the writ petitions takes an objection to the maintainability of the petitions on the ground that Petitioners have an alternate statutory remedy of filing appeals before Municipal Taxation Tribunal ('MTT') under Section 169 of the 1957 Act.

5. Learned counsel for the Petitioners, on instructions, seeks to withdraw these writ petitions with liberty to approach MTT but urges that interim

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 01/07/2025 at 23:37:47

protection be granted to the Petitioners against coercive action by MCD till Petitioners approach the Tribunal.

6. In light of the preliminary objection raised on behalf of MCD, which has merit and is sustained, these writ petitions are disposed of as withdrawn, with liberty to the Petitioners to approach MTT, making it clear that this Court has not expressed any opinion on the merits of the case. It is further directed that subject to Petitioners depositing 50% of the amounts in dispute in the three writ petitions respectively, with MCD within three weeks, in case the Petitioners approach the MTT within four weeks from today, MCD will not take any coercive action against the Petitioners in terms of the impugned assessment orders.

7. The interim order shall continue till the MTT considers the appeals.

8. Pending applications stand disposed of.

JYOTI SINGH, J

MARCH 12, 2025
B.S. Rohella

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 01/07/2025 at 23:37:47