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

+ W.P.(C) 3846/2025 & CM APPLs. 17883/2025 & 17884/2025

M/S. PANDEY ENTERPRISE

.....Petitioner

Through: Mr. Aditya Kumar, Mr. Yash Kotak,
Ms. Ila Nath, Advocates
(M:8527272859)

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Tushar Sannu, SC-MCD with Mr.
Shivam, Advocate along with Mr.
Manish Pawar, (JE, RP Cell)
(M:9911991166) (M:8743039595)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

02.04.2025

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1. The present petition has been filed on behalf of the petitioner seeking directions against the respondent for refund of the admitted, undisputed amount of ₹ 66,53,507/- (Rupees Sixty-Six Lakhs Fifty-Three Thousand Five Hundred and Seven Only) to the petitioner, owing to the fact that the physical possession of the parking site in question, i.e., *parking site situated in front of Nursery & Car Showrooms at Patparganj Industrial Area*, was not handed over to the petitioner.
2. Learned counsel for the petitioner submits that, on account of dispute by the local trader association, the possession of the parking site in question, was never handed over to the petitioner.
3. He further submits that the initial No Objection Certificate ("NOC"), issued by the Traffic Department for the parking in question, itself was



defective. Further, even the fresh NOC, as issued by the Traffic Department, is disputed by the Municipal Corporation of Delhi (“MCD”).

4. When notice was issued on the last date of hearing, learned counsel for respondent-MCD, had sought time to take instructions.

5. Today, Mr. Manish Pawar, Area Inspector, RP Cell from the MCD, is present in court. He confirms the fact that the parking site in question, was never handed over to the petitioner.

6. Considering the aforesaid position, since parking site in question was not handed over to the petitioner, it is directed that the amount of ₹ 66,53,507/- (Rupees Sixty-Six Lakhs Fifty-Three Thousand Five Hundred and Seven Only), as deposited by the petitioner, with the respondent-MCD, shall be refunded to the petitioner.

7. Let the needful be done by the respondent-MCD, within a period of six weeks.

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

MINI PUSHKARNA, J

APRIL 2, 2025

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