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

\+ W.P.(C) 4171/2025 & CM APPL. 19344/2025, CM APPL. 19345/2025

MRS. INGE WHIG .....Petitioner

Through: Mr. Manish Vashisht, Sr. Adv. with Mr. Rajesh Bhardwaj, Mr. Ajay Tejpal, Advocates (M:9810006861) Email: iilc@iilc.co.in

versus

NEW DELHI MUNICIPAL COUNCIL AND ORS .....Respondents

Through: Mr. Yogendra Handoo, ASC with Mr. Ravi Krishan Chandna, Mr. Ashwin Kataria, Mr. Malyaj Sehgal, Mr. Nischal Agrawal, Advocates for R-1 Ms. Suman Kukrety, Advocate for R-2 and 3 (M:9899922541)

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

O R D E R

% **07.04.2025**

1. The present writ petition has been filed for directions to quash the notice dated 13th December, 2024, issued by respondent no.1/New Delhi Municipal Council ("NDMC"), demanding a sum of ₹ 20,59,402/- as arrears from the petitioner, with respect to the property situated at *P-1338, Flat No. 602, Kanchenjunga Building, 18 Barakhamba Road, New Delhi-110001.*

2. Learned Senior Counsel for the petitioner submits that the petitioner has regularly been paying the property tax for the aforesaid property in question. He draws the attention of this Court to the document showing the payment for property tax, for the financial year 2024-25.

3. When the matter was listed on the last date of hearing, learned Senior Counsel for the petitioner, had also drawn the attention of this Court to the various documents, to submit that the property in question, has been lying vacant and unproductive of rent from time to time. Thus, he submits that on that account, the petitioner has requested for allowing vacancy remission for the various periods. However, the various representations made by the petitioner, seeking vacancy remission, and for consideration of the documents submitted by the petitioner, have not been taken into account.

4. Thus, it is the contention on behalf of the petitioner that no basis for the demand, as raised by the respondent-NDMC, has been informed to the petitioner.

5. Learned counsel appearing for the NDMC, on the last date of hearing had been directed to take instructions, in regard thereto.

6. Today, learned counsel appearing for the NDMC submits that the present petition filed on behalf of the petitioner, shall be considered as a representation.

7. Considering the submission made before this Court, it is directed that all the averments and contentions, as raised by the petitioner, in the present writ petition, shall be considered by way of representation by respondent-NDMC.

8. Opportunity of personal hearing shall be afforded to the petitioner. For this purpose, clear communication shall be sent to the petitioner, through the lawyer, on the e-mail, with is recorded in today's order.

9. Upon grant of hearing to the petitioner, sufficient opportunity shall also be provided to the petitioner to submit any documents, in case there is need for submission of any further documents, during the course of hearing.

10. A speaking order shall be passed by the respondent-NDMC, after granting due hearing to the petitioner.

11. During the period when hearing is being granted to the petitioner, no coercive steps shall be taken by the respondent-NDMC, against the petitioner.

12. After conclusion of the hearing, speaking order shall be passed by respondent-NDMC, which shall be duly communicated to the petitioner, through counsel's e-mail, which is reflected in today's order.

13. It is further directed that the protection granted today, shall continue for a period of further four weeks, after passing of the speaking order.

14. It is clarified that if the petitioner is aggrieved by the speaking order passed by the NDMC, and in case the petitioner does not challenge the same within a period of four weeks after passing of the said order, the protection as granted by today's order, shall automatically lapse, after which the respondent-NDMC, shall be at liberty to take action, as per law.

15. With the aforesaid directions, the present writ petition, along with pending applications, stands disposed of.

MINI PUSHKARNA, J

APRIL 7, 2025

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