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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 5657/2024

RAJIV KOHLI

.....Petitioner

Through: Mr. Abhishek Sandillya, Advocate
M: 7827288178

versus

NEW DELHI MUNICIPAL COUNCIL

.....Respondent

Through: Mr. Saad Shervani ASC with Mr
Elvin Joshy, Advocate.
Email: advocate@live-law.com
Mob: 9910000400

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

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29.05.2025

CM APPL. 34606/2025

1. The present application has been filed on behalf of the petitioner seeking clarification of the order dated 23rd April, 2025, passed by this Court.
2. This Court *vide* order dated 23rd April, 2025, had directed that the petitioner herein, shall file a fresh application for renewal of the license fee and pending consideration of the renewal application of the petitioner, the seal of the shop in question, shall be de-sealed.
3. Additionally, while passing the aforesaid order dated 23rd April, 2025, this Court had directed that the petitioner shall comply with all the directions, including, deposit of the requisite amount towards license fee and other arrears.
4. Now, the present application has been filed, since, the respondent New Delhi Municipal Council ("NDMC"), is demanding the arrears, which



has already been declared as unreasonable and unjustified by the NDMC itself *vide* its Speaking Order dated 04th April, 2024.

5. Attention of this Court has been drawn to the Speaking Order dated 04th April, 2024, issued by the Director of Estates, NDMC, wherein, there is a categorical finding in the following manner:-

“xxx xxx xxx

11. And whereas, in the light of the above mentioned facts and with a view to resolve the disputes to meet the ends of justice, it is hereby decided that the outstanding license fee of Rs. 58,92,145/- is not justified.

xxx xxx xxx”

(Emphasis Supplied)

6. Considering the aforesaid finding made by the Director of Estates, NDMC, this Court is of the view when the respondent NDMC itself has decided that the outstanding license fee of Rs. 58,92,145/- is not justified, the same cannot be sought to be recovered by the respondent-NDMC.

7. Accordingly, it is clarified that the arrears, as mentioned in the order dated 23rd April 2025, shall refer to any future arrears/dues, that may fall due, after the de-sealing of the shop in question.

8. With the aforesaid clarification, the present application, is accordingly disposed of.

MINI PUSHKARNA, J.

MAY 29, 2025/neha