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

\+ W.P.(C) 5807/2025 & CM APPL. 26441/2025

SH. DEWAN CHAND PRUTHI .....Petitioner

Through: Mr. Subhash C. Jindal, Advs. (Through VC)

versus

NEW DELHI MUNICIPAL COUNCIL & ORS. .....Respondents

Through: Mr. Sanjay Sharma, Adl. SC with Mr. Ravi K. Chandna, Asst. SC and Mr. Malyaj Sehgal, Adv. for NDMC
M: 9711752002
Mr. Sanjay Sharma, Adv. (Through VC)

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

<u>O R D E R</u>

% **02.05.2025**

1. The present writ petition has been filed with payer for direction to the New Delhi Municipal Council ("NDMC"), to consider the representations dated 20th March, 2025 and 04th April, 2025, of the petitioner for allotting a separate Property Identification ("PID") number in respect of his premises, i.e., *M-134, Barasati/Second Floor, M Block, Connaught Place, New Delhi-110001*, measuring 1800 sq. ft.

2. Learned counsel appearing for the petitioner submits that petitioner is a tenant, in premises *M-134, Barasati/Second Floor, M Block, Connaught Place, New Delhi-110001,* and has been running office from decades. He submits that his tenancy is under the Delhi Rent Control Act, 1958.

3. It is submitted that the entire property at *M-93, M-46 etc. in Block M, Connaught Place, New Delhi-110001*, is owned by Late Shri Aditya Nath Sheel Kumar having common PID No. 5531.

4. Further, the petitioner is occupying only a small portion of the said property, i.e., measuring 1800 sq. ft.

5. It is submitted that the petitioner is ready to deposit the property tax as per the actual facts and law, in respect of his portion. Thus, it is submitted that various representations of the petitioner have been made for allotment of a separate PID No. in respect of his premises.

6. Learned counsel appearing for the petitioner submits that a demand letter dated 26th December, 2024, had been issued by the NDMC which was fixed on one of the walls of rear portion of his premises raising demand of Rs. 12,20,58,829/-, upto 31st March, 2025.

7. It is submitted that the entire property of PID No. 5531, is a huge area and the petitioner cannot be compelled to pay property tax of the whole property of the landlord in M-Block Connaught Place, where the petitioner is occupying only a small portion of the area.

8. Therefore, it is submitted that the said demand to the petitioner is totally arbitrary, since the petitioner is paying only a rent of Rs. 850/- per month to the landlord of his premises, for his small portion.

9. It is submitted that on account of non payment of property tax, the property of the petitioner was sealed, and in order to get the property de-sealed, the petitioner deposited cheques of Rs. 40 Lacs against the property tax of his premises. He submits that full amount of Rs. 40 Lacs, already stands encashed and the property of the petitioner, has been subsequently de-sealed on 21st March, 2025, by the NDMC. Thus, the present writ

petition has been filed to consider the representations of the petitioner with regard to issuance/allotment of a separate PID number, in respect of his tenanted portion at *M-134, Barasati/Second Floor, M Block, Connaught Place, New Delhi-110001,* for the purposes of depositing property tax for the portion possessed by the petitioner.

10. Issue notice. Notice is accepted by learned counsel appearing for respondent nos. 1 to 3/NDMC.

11. Learned counsel for NDMC appearing on advance notice, submits that a separate PID number cannot be issued, as the premises is registered under the ownership of one person. He further submits that the Assessment Order dated 01st December, 2016, issued by the Property Tax Department, NDMC, is a subject matter of appeal in *HTA No. 6/21, Sh. Arun Kumar & Others versus New Delhi Municipal Council,* pending before the District Judge-03, Patiala House Courts, New Delhi.

12. Having heard learned counsels for the parties, with the consent of the parties, the matter is taken up for disposal.

13. Considering the submissions made before this Court, it is directed that the representations of the petitioner shall be considered by the NDMC, with respect to communicating the petitioner in future, as regards the property tax, which is payable by the petitioner, with respect to the portion, which is occupied by the petitioner.

14. In terms of the submissions made by learned counsel appearing for the NDMC, the aforesaid representation shall be considered, subject to the outcome of the *HTA No. 6/21,* pending before the District Judge-03, Patiala House Courts, New Delhi.

15. Upon communication by the NDMC as regards the property tax

payable for the portion of the property occupied by the petitioner, the petitioner shall pay the property tax, in that regard accordingly.

16. In case the petitioner is aggrieved by any action by the respondent-NDMC, the petitioner is at liberty to seek remedies, in accordance with law.

17. With the aforesaid directions, the present writ petition, along with pending application, stands disposed of.

MINI PUSHKARNA, J

MAY 2, 2025/kr