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

+ W.P.(C) 6879/2025, CM APPL. 31141/2025 & CM APPL. 31142/2025

SANDEEP TANDON & ANR.

.....Petitioners

Through: Mr. Ankit Gupta and Mr. Mithil Malhotra, Advs.

versus

DELHI DEVELOPMENT AUTHORITYRespondent

Through: Mr. Shashi Pratap Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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21.05.2025

CM APPL. 31141/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 6879/2025 & CM APPL. 31142/2025 (by the petitioner under Section 151 CPC seeking interim relief)

3. The present petition has been filed seeking following reliefs:

- "A. Allow the present Petition and thereby, issue a writ of Certiorari thereby quashing the Misuser Demand Notice dated 23.01.2007 levying a sum of Rs. 94,08,799/(Rupees Ninety-Four Lakhs Eight Thousand Seven Hundred and Ninety Nine Only) against the Petitioners qua the property bearing No. B-4/225, Safdarjung Development Area, Safdarjung Enclave, New Delhi 110029; and
- B. Issue a writ of Mandamus thereby, directing the Respondent to execute Conveyance Deed with respect to the property bearing No. B-4/225, Safdarjung Development Area,



Safdarjung Enclave, New Delhi - 110029 in favour of the Petitioners.”

4. The grievance articulated by the petitioners in the present petition is that the respondent/DDA had framed a comprehensive policy i.e. New Comprehensive Policy for Levying Misuse Charges [hereinafter referred to as ‘policy’] for rationalization of misuse charges in the year 2016. In terms of the said policy, petitioners deposited self-assessed amount of Rs.5,40,000/- on 23.01.2023 with complete supporting documents.
5. He submits that since then nothing has been heard by the petitioners from the respondent/DDA.
6. Mr. Shashi Pratap Singh, learned counsel appearing on behalf of the respondent/DDA, on instructions, submits that since the department realised that the amount deposited by the petitioners is lesser than what is payable in terms of the policy, the respondent/DDA will issue a fresh demand letter within a period of four weeks from today. In case, the petitioners are satisfied with the demand letter, they may pay the misuser charges in terms thereof or else, they can make a representation against the same. In case, any such representation is made, the same will also be decided by the respondent/DDA within a period of six weeks thereafter.
7. The statement is taken on record and the respondent/DDA shall remain bound by the same.
8. In view of the aforesaid statement, Mr. Ankit Gupta, learned counsel appearing on behalf of the petitioners submits that he does not wish to press the present petition for the time being.
9. The petition is dismissed as withdrawn reserving liberty to the petitioners to approach the court in case their grievance still survives.



10. Consequently, the pending application also stands disposed of.

MAY 21, 2025

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VIKAS MAHAJAN, J