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

+ **W.P.(C) 11107/2025**

SANJEEV KUMAR PROPRIETOR

.....Petitioner

Through: Mr. Sudipta Basu, Mr. Sunil Kumar,
Advocates (M:9971805504)

versus

MUNICIPAL CORPORATION OF DELHI

.....Respondent

Through: Mr. Tushar Sannu, SC-MCD with Mr.
Shivam, Mr. Parvin Bansal,
Advocates (M:9911991166)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

30.07.2025

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1. The present writ petition has been filed seeking directions to the respondent to allot an alternative and comparable parking site to the petitioner, as the petitioner is aggrieved by the order dated 28th March, 2024, whereby, the parking site allotted to the petitioner at ITO, in front of Herald Building, was unilaterally cancelled by the respondent, without any reason.
2. There is prayer in the alternative to direct the respondent to refund the entire deposit of ₹ 23 Lacs to the petitioner, along with interest.
3. Learned counsel for the petitioner submits that the petitioner had submitted an E-tender bid for the parking site at ITO, in front of Herald Building, by quoting a Multi Licence Fee ("MLF") of ₹ 3,21,555/-, in response to NIT No. 1568 dated 25th September, 2023.



4. Subsequently, offer letter dated 07th December, 2023 was issued in favour of the petitioner being the highest bidder at the quoted MLF of ₹ 3,21,555/-, for an initial period of three years, and further extendable to another period of two years, subject to satisfactory performance.

5. It is submitted that the petitioner accordingly sent his acceptance to the Municipal Corporation of Delhi (“MCD”) and deposited security deposit/performance guarantee equivalent to three months of MLF, along with four months of advance licence fees, out of which, two months of advance licence fee was to be adjusted in the first two months and balance two months of advance MLF was required to be adjusted in the last two months of the contract.

6. Learned counsel for the petitioner submits that the petitioner was offered possession of the parking site on 03rd February, 2024, and the petitioner was to operate the same w.e.f. 03rd February, 2024. However, the journalists and other persons working in the vicinity objected to the physical possession being given to the petitioner and the parking attendants of the petitioner were threatened with dire consequences by the media personnel. Despite fervent appeal to the MCD, within 15 minutes after receiving physical possession, the parking attendants of the petitioner had to flee from the aforesaid site, in order to save themselves from serious threat to their lives from the protesting media personnel.

7. It is submitted that thereafter, from 04th February, 2024 till the cancellation of the parking site on 28th March, 2024, the petitioner wrote a number of letters and reminders for assistance to the MCD, in order to regain the parking site with the active assistance of the top officials of the MCD, along with law enforcement agencies. However, all the efforts of the



petitioner went in vain.

8. It is further submitted that despite the aforesaid facts, the respondent, *vide* letter dated 28th March, 2024, unilaterally cancelled the contract of the petitioner and directed the petitioner to pay MLF for the allotted parking site from 03rd February, 2024 till 27th March, 2024, when the site was alleged to be under the control of the petitioner.

9. It is submitted that the petitioner has written a number of letters to the MCD to either allot a different parking site as a just compensation to the petitioner, or in the alternative, refund the entire amount of ₹ 23 Lacs deposited by the petitioner with the MCD.

10. Since the matter has not progressed any further and no relief has been granted to the petitioner, the present writ petition has been filed.

11. Responding to the present writ petition, learned counsel for the respondent, on advance notice, submits that the present writ petition can be treated as representation by the MCD and the grievance of the petitioner shall be considered by the respondent.

12. Learned counsel for the petitioner submits that he has no objection if the present writ petition is treated as a representation. However, he submits that the right of the petitioner be reserved to approach the Court again, in case the petitioner is dissatisfied with or aggrieved by any order of the MCD.

13. Having heard learned counsels for the parties and upon considering the submissions made before this Court, it is directed that the present writ petition shall be considered as a representation by the respondent-MCD.

14. At the time of considering the representation of the petitioner, the petitioner or his authorized representative, shall be given a personal hearing.



15. A speaking order shall be passed accordingly by the MCD, which shall also be communicated to the petitioner.
16. In case the petitioner is aggrieved by any order passed by the MCD, the petitioner is at liberty to seek his remedies, in accordance with law.
17. It is directed that the representation of the petitioner shall be considered and decided, expeditiously, preferably within a period of two months, from today.
18. With the aforesaid directions, the present writ petition is accordingly disposed of.

MINI PUSHKARNA, J

JULY 30, 2025/au