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

+ **W.P.(C) 59/2024 and CM APPL. 219/2024**

MOUNTVIEW REALTECH PVT LTDPetitioner

Through: Mr. Sanjeev Sagar, Senior Advocate
with Mr. Dheeraj Gupta and Ms. Prerna Bhatt,
Advocates.

versus

MUNICIPAL CORPORATION OF DELHIRespondent

Through: Ms. Sunieta Ojha, Standing Counsel
with Ms. Vasudha Priyansha and Ms. Divita
Vashisht, Advocates for Respondent/MCD.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
12.02.2025

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1. This writ petition is preferred on behalf of the Petitioner challenging the Assessment Order dated 09.10.2023 passed by the MCD in respect of the property of the Petitioner as detailed in the writ petition.
2. On 12.08.2024, Court had entertained the writ petition as the Municipal Taxation Tribunal, i.e. the Appellate Tribunal was non-functional. Learned Senior Counsel for Petitioner fairly submits that since the Appellate Tribunal is now functional, Petitioner may be permitted to withdraw the writ petition with liberty to approach the Tribunal. Ms.Sunieta Ojha, learned Standing Counsel for Respondent/MCD has no objection to this course of action.



3. Accordingly, this writ petition is disposed of with liberty to the Petitioner to approach the Appellate Tribunal. Since there is a period of limitation in filing the appeal against the Assessment Order, while considering condonation of delay, Tribunal may take into consideration the fact that this writ petition was filed by the Petitioner in January, 2024 *bonafidely* as the Appellate Tribunal was not functional at that stage and the writ petition is pending since then.

4. Pending applications stand disposed of.

JYOTI SINGH, J

FEBRUARY 12, 2025

B.S. Rohella