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

\+ LPA 553/2025

DCM LIMITED .....Appellant

Through: Mr.Gautam Narayan, Sr.Adv. with Mr.Deepak Vohra, Mr.Dheeraj, Mr.Yuvv Wadhwa, Ms.Asmita Singh, Mr.Shanshank Jain, Advs.

versus

MCD & ANR. .....Respondents

Through: Mr.Vikas Chopra,S.C. with Mr.Neeraj Kumar, Adv for MCD.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

O R D E R

% **01.09.2025**

CM APPL. 54484/2025

1. Exemption allowed, subject to all just exceptions.

2. The application stands disposed of.

LPA 553/2025 & CM APPL. 54483/2025 (for stay)

3. Heard the learned counsel for the parties.

4. The instant appeal has been preferred against an interlocutory order dated 28.08.2025 passed by the learned Single Judge in W.P.(C) No.13094/2025, whereby while issuing notice to the Municipal Corporation of Delhi(MCD) and requiring them to file counter affidavit, it has been provided that the appellant/ petitioner shall deposit the property tax amount in terms of the rate as reflected in the MCD’s portal which, shall, however be

subject to outcome of the writ petition.

5. Various submissions have been made by learned counsel for the parties, however we are not inclined to entertain such submissions for the simple reason that the proceedings of the writ petition are still pending before the learned Single Judge, where all the arguments which may be available to the parties shall be considered and, accordingly, the matter shall be decided on merits.

6. Having regard to the prayer made by learned counsel for the appellant to the effect that the appellant may be required to make the deposit of the property tax amount @ 15% as been done by the appellant/petitioner in past and rest 5% amount may require to be deposited before this Court, we permit the appellant/petitioner to make such an application with such relief before the learned Single Judge in the pending proceedings of the writ petition.

7. Once such an application is made, we request the learned Single Judge to consider the same and pass appropriate orders. We also request the learned Single Judge to expedite the proceedings of the writ petition and conclude the same as early as possible.

8. At this juncture, learned counsel for the appellant states that as per the scheme of the MCD if property tax was deposited by 31.08.2025, the property holder was entitled to a rebate of 10% on the total payable amount. Furthermore, this Court while entertaining this appeal on 29.08.2025 had extended the date in case of the appellant for making the deposit of the property tax by 02.09.2025 and, therefore, in case the appellant/petitioner makes the deposit of the property tax amount today, the benefit of the rebate shall be extended to him.

9. Having regard to the orders passed in this appeal on 29.08.2025, we

provide that in case the appellant/petitioner deposits the property tax today the rebate as applicable shall be available to the appellant/petitioner.

10. We request, Mr.Chopra, learned Standing Counsel representing the MCD to communicate this order to the authorities concerned forthwith without awaiting for its certified copy.

11. The appeal along with pending application stands disposed of in the aforesaid terms.

DEVENDRA KUMAR UPADHYAYA, CJ

TUSHAR RAO GEDELA, J

SEPTEMBER 1, 2025
S.Rawat