



\$~88

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

+ W.P.(C) 13406/2025 & CM APPL. 54978/2025

**ACTION COMMITTEE UNAIDED RECOGNISED PRIVATE
SCHOOLS REGD THROUGH ITS PRESIDENT MR BHARAT
ARORA**

.....Petitioner

Through: Mr. Sameer Rohatagi, Mr. Namit
Suri, Mr. Preetpal Singh, Ms.
Pepakayala Geetanjali, Mr. Anish and
Ms. Tanya Sharma, Advs.
Mob: 9582410511
Email: listing@listing.com

versus

**MUNICIPAL CORPORATION OF DELHI THROUGH ITS
COMMISSIONER & ANR.**

.....Respondents

Through: Mr. Tushar Sannu, SC for MCD with
Mr. Parvin Bansal, Adv.
Mob: 9911991166
Ms. Prabhsahay Kaur, SC for R-
2/DDA with Mr. Bir Inder Singh
Gurm, Adv.
Mob: 9711778471
Email: sahayk@gmail.com

**CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA**

**ORDER
01.09.2025**

%

1. The present writ petition has been filed being aggrieved by the fact that the respondent-Municipal Corporation of Delhi ("MCD") is assessing various schools for property tax by including the areas such as staircases, toilets, etc., which are excluded from the Floor Area Ratio ("FAR"), as per



the Unified Building Bye-Laws for Delhi, 2016 (“UBBDL”).

2. Learned counsel appearing for the petitioner draws the attention of this Court to the representation dated 14th August, 2024 submitted by Delhi International School, Dwarka, to the MCD praying for exclusion of the aforementioned areas as part of FAR from the assessment of the property tax.

3. Learned counsel appearing for the petitioner submits that despite making such representation, the same has not been decided till date.

4. He further submits that the petitioner has been issued an Assessment Order dated 12th August, 2025 by the MCD, wherein, the said areas, for which exclusion was prayed for, have been included for assessment of property tax.

5. Issue notice. Notice is accepted by learned counsels appearing for the respondents.

6. Learned counsel appearing for respondent no. 1-MCD raises the objection as regards the maintainability of the present writ petition. He submits that the present writ petition has been filed by a society, whereas, the grievance in the present petition pertains to only one school, i.e., Delhi International School, Dwarka.

7. He further submits that in case, the petitioner is aggrieved by any Assessment Order, the remedy is to file an appeal before the Municipal Taxation Tribunal (“MTT”), in terms of Section 169 of the Delhi Municipal Corporation Act, 1957 (“DMC Act”).

8. At this stage, learned counsel appearing for the petitioner submits that the petitioner shall be satisfied for the time being, if the representation of the Delhi International School, Dwarka, dated 14th August, 2024, is considered



and decided by the MCD.

9. He further submits that there are other schools also, which shall be impacted by the decision taken by the MCD in the representation of the Delhi International School, Dwarka.

10. Considering the submissions made before this Court, it is directed that the present writ petition filed by the petitioner shall be considered as a representation by the MCD. The representation in the form of the present writ petition, as well as the representation dated 14th August, 2024, submitted by the Delhi International School, Dwarka, shall be considered and decided by the MCD expeditiously, preferably, within a period of eight weeks, from today.

11. At the time of considering the representation of the petitioner, Principles of Natural Justice shall be followed. Authorized representative of the Delhi International School, Dwarka shall be granted liberty of personal hearing.

12. In case, any further documents are required by the MCD during the course of hearing, requisite opportunity to do so shall be provided to the School in question and the MCD shall pass a Speaking Order thereupon.

13. The Speaking Order shall be duly communicated to the said School.

14. It is clarified that since the representation to be decided by the MCD is with regard to assessment of the said School for property tax, in case, the said School is aggrieved by any order passed by the MCD in the representation, it shall seek its remedies in terms of the provisions of the DMC Act.

15. Since, learned counsel appearing for the petitioner raises the concern that the decision by the MCD with regard to the School in question, shall



impact other schools also, liberty is granted to the other schools to make similar representation, if so advised, to the MCD. Let requisite representation be made by the individual schools to the MCD, within a period of ten days, from today.

16. Upon the said schools making their representations, the same shall also be considered, along with the representation of Delhi International School, Dwarka.

17. It is further directed that various representatives of the respective schools, shall also be allowed to be present at the time of consideration of their respective representations.

18. It is clarified that, in case, the individual schools are aggrieved by any order passed by the MCD, they shall seek their individual remedies, in accordance with law.

19. With the aforesaid directions, the present writ petition, along with the pending application is accordingly disposed of.

MINI PUSHKARNA, J

SEPTEMBER 1, 2025/SK