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

+ **W.P.(C) 344/2021**

SH SANT LAL MAGGU

..... Petitioner

Through: Mr. J.P.Sengh, Senior Advocate with
Mr. Arush Kapoor & Ms. Manisha
Mehta, Advocates.

versus

NORTH DELHI MUNICIPAL CORPORATION Respondent

Through: Mr. Ajjay Aroraa, Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

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11.01.2021

CM APPL.898/2021(exemption)

Exemption is allowed subject to all just exceptions.

W.P.(C) 344/2021 & CM APPL.899/2021(to de-seal the property)

1. The hearing was conducted through video conferencing.
2. On oral prayer of learned Senior Counsel for the petitioner, Delhi Development Authority is impleaded as a respondent. Amended memo of parties be filed within two days.
3. Issue notice. Notice is accepted by learned counsel appearing for respondent no.1/North Delhi Municipal Corporation.
4. Notice be issued to newly impleaded respondent, returnable on 08.04.2021.



5. Learned Senior Counsel for the petitioner contends that in the impugned sealing order dated 05.11.2020, Corporation has mentioned that conversion charges of Rs.5,77,09,850/- along with applicable parking charges are due till date.

6. Learned counsel submits that a sum of approximately Rs. 1.21 crores already stands deposited. He further submits that, without prejudice, petitioner shall deposit a further sum of Rs.80 lakhs with the Corporation and furnish a bank guarantee for the balance amount of Rs.3.77 crores to secure the conversion charges, pending the present petition.

7. In view of the above, subject to petitioner depositing a sum of Rs.80 lakhs with the Corporation and furnishing a bank guarantee in the sum of Rs.3.80 crores to secure the amount of conversion charges, property shall be de-sealed, subject to further orders.

8. Respondents shall file counter affidavit within four weeks from today. Rejoinder thereto be filed within four weeks thereafter.

9. Learned counsel for petitioner submits that there are bookings taken for marriages w.e.f. 13.01.2021 and accordingly petitioner shall deposit the amount of Rs.80 lakhs with the respondent no.1 by tomorrow and shall furnish the bank guarantee within ten days from today.

10. On petitioner depositing a sum of Rs. 80 lakhs, with the Respondent-Corporation, the Corporation shall forthwith de-seal the



property.

11. Petitioner shall deposit the bank guarantee in the sum of Rs. 3.80 crores within ten days. In case of failure of the petitioner to deposit the bank guarantee within ten days from today, the Corporation shall once again seal the property, without waiting for any further orders from this Court. The Bank Guarantee shall be kept alive during the pendency of the present Petition.

12. It is clarified that this order is without prejudice to the rights and contention of the parties.

13. Copy of the order be uploaded on the High Court website and be also forwarded to learned counsels through email by the Court Master.

SANJEEV SACHDEVA, J

JANUARY 11, 2021

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