



\$~32

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

+ W.P.(C) 3554/2021 & CM. APPLS.10738-39/2021

HINDU COLLEGE THROUGH CHAIRMAN HINDU
EDUCATIONAL TRUST

..... Petitioner

Through Mr. Tanmay Mehta, Advocate
Mr. Nitesh Jain and Mr. Shubham
Mahajan.

versus

DELHI JAL BOARD & ANR.

..... Respondent

Through Ms. Sangita Rai, Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

19.03.2021

%

1. Petitioner seeks a mandamus to the respondent to grant NOC/approval of the scheme of water and sewer to the petitioner without the demand of Infrastructure Fund Charges. Petitioner also seeks quashing of the demand raised by the respondents towards Infrastructure Fund Charges to the tune of Rs.55,51,698/-.

2. Learned counsel for the petitioner submits that the application was made on 29.01.2020, when the extant policy was that no Infrastructure Fund Charges were leviable except on government development agencies and subsequently in October, 2020, the policy seems to have been amended.

3. He *inter alia* submits that the amended policy cannot be made applicable to the petitioner as it is a mere administrative decision and

W.P.(C) 3554/2021

1



the application of the petitioner was made much prior to the amendment in the policy.

4. Learned counsel further submits that without prejudice to petitioner's rights and contentions and with a right to seek refund, the petitioner is willing to deposit the same with the respondent so that the development work which is being undertaken by the petitioner does not get any further delayed.

5. Issue notice.

6. Learned counsel appearing for the respondent prays for time to obtain instructions.

7. List on 05.04.2021.

SANJEEV SACHDEVA, J

MARCH 19, 2021
NA