

OFFICE OF ESTATE OFFICER, PRAGATI MAIDAN, NEW DELHI

In the matter of:

India Trade Promotion Organisation

....Petitioner

Vs.

M/s. Food Plaza

...Respondent

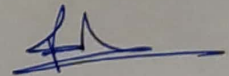
Present: Mr. Shaswat, Adv. for the petitioner along with Ms. Sunita Kamboj, DM

Mr. Balvinder Sachdeva on behalf of respondent

Mr. Balvinder Sachdeva himself and counsel for the petitioner argued the matter (Recovery-I case) and were heard partly. Besides other points, the respondent submitted that as per agreement (Clause G1), with regard to all the taxes including property tax, they were supposed to pay directly to the concerned authorities. Respondent further submitted that when demanded by ITPO, they disputed the demand, however, paid to ITPO. However, when they received notice from MCD with the copy of the same to bank for freezing of account; they approached ITPO, but when ITPO did not bother, they paid about Rs.31 lacs to MCD directly. Also against court order dt. 17.5.2005, they paid about Rs.10 lacs to ITPO in two instalments. As per respondent, ITPO demand was about Rs.11 lacs for 9 months, however, MCD demanded Rs.2.5 lacs for the same period. The respondent was asked to show the document by which they disputed the demand of ITPO in respect of property tax.

The counsel for the petitioner did not dispute the clause G1 of the agreement with respect to the property taxes to be payable by respondent directly to the concerned authorities. However, he submitted that MCD used to raise collective demand from ITPO and at this stage he may not substantiate this irrespective of their earlier submissions. Petitioner was directed to justify their demands on the next date of hearing and clarify their stand on these points.

The matter is fixed for further arguments in Recovery-I case only on 19.01.2023 at 4.00 pm. After conclusion, the Recovery-II case will be taken up for further proceedings.



Estate Office  
13.12.2022

File No.115/EST/2003 and EST/140/2015