

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. along with Ms. Sunita Kamboj, DM & Mr. Lovenish Kumar Chadha, AM on behalf of petitioner

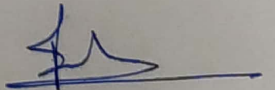
Mr. P.K. Rawal along with Mr. Tarun Agarwal counsels on behalf of respondent

Ld. Counsel for the petitioner submitted that as per Clause G2 of the Agreement dt. 30.6.2000, the licensee (Food Plaza) has to deposit property tax with ITPO(Licensor). Counsel for the petitioner further submitted that ITPO had written a letter to MCD for confirmation of an amount of Rs.31,78,715/- with regard to property tax as claimed by respondent which has been deposited with MCD.

Ld. Counsel for the respondent submitted that respondent took possession of the property w.e.f. 30.7.2000 and the property tax is payable only for the periods, i.e., 30.7.2000 to 31.3.2003 @ Rs.2.5 lacs per year. Ld. Counsel for the respondent submitted that the Estate Officer's order dt. 10.8.2004 was challenged by way of an appeal to the District Court. He further reiterated that they have already paid the property tax to MCD, under protest, as MCD issued notice for freezing of accounts, etc. An amount of Rs.10 lacs deposited with ITPO towards property tax, as per court's directions. Ld. Counsel for the respondent further referred to the order of the Ld. District Judge dt. 1.2.2010, specifically Para No.7 and 9 of the Order and Pages No.43, 44 & 46 of enclosures filed with their written statement dt. 29.10.2022, regarding demand of excess amount.

The petitioner is directed to provide details with regard to the exact period, area and rate under which the respondent is liable to pay property tax of Rs.37,21,107/-. The petitioner is also directed to provide details of Rs.31,78,715/-, the municipality tax for which period, area and rate.

The matter is further fixed for further arguments on 10.03.2023 at 4.00 pm.


Estate Officer
10.02.2023

File No.115/EST/2003