

OFFICE OF ESTATE OFFICER, PRAGATI MAIDAN, NEW DELHI

In the matter of:

India Trade Promotion Organisation

....Petitioner

Vs.

M/s. Palace Restaurant

...Respondent

Present: Mr. Ayush Kapur, counsel along with Sunita Kamboj, DM and Sh.L.K. Chadha, AM for petitioner

Mr. Vinayak Marwah, counsel for the respondent.

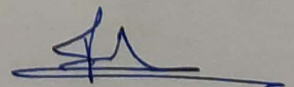
In continuation to the last arguments held on 11.10.2022 and 30.11.2022, now both the counsels confirmed/agreed that green area was 1178 sq. mtrs. which includes 200 sq. mtr(978 + 200). It was also confirmed by both the parties that the premises were vacated on 10.6.2011 by complying with the orders of the Hon'ble Supreme Court.

Now, further arguments were advanced by both the parties which relate to property tax component, as claimed by the petitioner amounting to Rs.39,33,494/-. The counsel for the respondent submitted that as per agreement of 2001, they were liable to pay the property tax to ITPO(petitioner) on the basis of the demand/invoice raised by ITPO from time to time which they have paid and ITPO was further liable to deposit the same with MCD.

The counsel for the petitioner argued that the respondent has not deposited the property tax as and when demand/invoice was raised for the period 1.4.2004 to 10.6.2011. However, counsel for the respondent submitted that they have already paid the property tax to ITPO as and when they raised the demand/invoice for the said period. The counsel for the respondent further argued that ITPO has not deposited the said tax to MCD and a reference was invited to Hon'ble District Judge order of 2021 wherein Ld. Judge observed that there was no evidence to the effect that ITPO has deposited the tax with MCD.

Accordingly, it is directed that proof of payment made by the respondent to ITPO for the period 1.4.2004 to 10.6.2011 in respect of property tax be submitted by the respondent for further progress in the matter by the next date of hearing. Further, petitioner is also directed to provide the details how they have calculated the claim amounting to Rs.39,33,494/- (break-up covering period and amount of each period starting from 1.4.2004 to 10.6.2011) along with the MCD demand and payments made to them for that period.

The next date of hearing is fixed as 21.03.2023.



Estate Officer

07.02.2023

File No.139/EST/2014