

**IN THE COURT OF SH. AMIT KUMAR :**  
**ADDL. DISTRICT & SESSIONS JUDGE-CUM-PRESIDING OFFICER,**  
**APPELLATE TRIBUNAL, M.C.D., DELHI.**

**APPEAL NO. 124/ATMCD/2015.**

**State Bank of India  
6, Ring Road,  
Lajpat Nagar-IV,  
New Delhi.**

**Also at:**

**Local Head Office  
8, Parliament Street  
New Delhi-110001**

**..... Appellant**

**Vs**

**Municipal Corporation of Delhi  
Through its Commissioner  
4<sup>th</sup> Floor, Civic Center, Minto Road,  
ITO Delhi**

**..... Respondent**

<b>Date of Filing of Appeal</b>	<b>:</b>	<b>27.02.2015</b>
<b>Date of Order</b>	<b>:</b>	<b>04.12.2025</b>

**ORDER**

1. The appellant before me who was a tenant in the property No.6 Ring Road, Lajpat Nagar, -IV New Delhi from basement to second floor has challenged the order dated 13.02.2015 asking the appellant to pay outstanding charges of Rs.1,94,01,154/- on account of conversion charges, parking charges, additional FAR charges. It was argued for the appellant that in this order the appellant was directed to pay these charges in terms of orders of the Hon'ble High Court dated 25.11.2014 passed in W.P.(C) 497/2011. There was no directions by the Hon'ble High Court in this order that the appellant is liable to pay these charges and the order is liable to be set aside. It was also argued that in terms of the registered lease deed executed between the owner and appellant, it is the owner who is required to pay any taxes etc to the respondent and therefore, the impugned order should be set aside.
2. Ld. counsel for respondent on the other hand, argued that the Hon'ble High Court in the order dated 25.11.2014 stated that if the respondent

finds that the appellant bank is liable to pay damages or charges, the same shall be paid within four weeks and therefore, there is no ambiguity in the impugned order.

3. I perused the record. The appellant before me filed the W.P.(C) in the Hon'ble High Court challenging the order of this Tribunal passed in appeal No.51/11. In that case it was stated on behalf of the appellant that the appellant shall vacate the property by 31.12.2015 and will give fresh representation with the respondent regarding payment of misuser charges and the respondent shall pass speaking order in this regard. The impugned order dated 13.02.2015 records the contentions of the appellant and directed the appellant to pay the misuser charges and similarly held that the landlord is equally accountable to pay the outstanding charges. Any agreement between the landlord and appellant does not take away the right of the respondent to levy and recover misuser charges. The misuse of the property was done by the appellant as well as by the landlord who let out the property to the appellant for running a bank. The order under challenge was not passed because of the directions given by the Hon'ble High Court but simply says that the penalty be paid in four weeks as directed by the Hon'ble High Court. The High Court order is not the basis of the impugned order dated 13.02.2015. The Hon'ble High Court order recorded that, if found liable, the appellant shall pay charges within four weeks. The appeal is devoid of merits, same is dismissed.
4. Record of the respondent, if any, be returned along with copy of this order and appeal file be consigned to record room.

**Announced in the Open Court,  
Today i.e. on 04.12.2025**

**(AMIT KUMAR)  
District Judge-cum-P.O.  
Appellate Tribunal : MCD Delhi**