IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

225 **Civil Writ Petition No.26136 of 2016**
Date of decision: February 16, 2017

Maruti Suzuki India Ltd. ....Petitioner

versus

State of Haryana and others ....Respondents

CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN

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Present: Mr. Puneet Bali, Sr. Advocate with
Mr. Vijay Nair, Advocate,
Ms. Mridul Chawla, Advocate and
Mr. Gunjan Rishi, Advocate for the petitioner.

Mr. R.K.S. Brar, Addl. A.G., Haryana.

Mr. Sandeep Moudgil, Advocate for respondent No.3.

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AJAY KUMAR MITTAL, J. (Oral)

The petitioner has approached this Court under Articles 226/227 of the Constitution of India, inter alia, seeking quashing of Notification No.SO/85/H.A.16/1994/S.87/2013 dated 11.10.2013 (Annexure P-3) issued by the Directorate of Urban Local Bodies, Panchkula, Haryana. Further prayer has also been made to direct the respondents to refund the excess property tax paid i.e. ₹ 9,36,15,257/- after adjustment of property tax for the years 2013-14 and 2014-15.

2. Notice of motion had been issued to the respondents.

3. Learned State counsel has produced a copy of the clarification dated 15.02.2017 issued by the Principal Secretary to Government Haryana, Urban Local Bodies Department, Haryana regarding the collection of property tax pertaining to industrial properties, in the Municipal Corporations of the State in Court today

and the same is taken on record. It has been stated that all the concerned departments have been directed to proceed as per the interpretation mentioned therein and if, excess payment has been made, the same shall be returned or adjusted accordingly.

4. In view thereof, learned counsel for the parties pray that the present petition has been rendered infructuous and may be disposed of as such.

5. Ordered accordingly.

6. Learned counsel for the petitioner submitted that the representation dated 16.06.2016 (**Annexure P-8)** for the refund and adjustment of property tax paid has already been filed before the Divisional Commissioner, Rohtak, Haryana and a prayer was made that a time bound direction be issued to the concerned respondent to decide the same and refund the amount in accordance with law.

7. After hearing learned counsel for the parties, it is directed that respondent No.3 shall take a decision on the representation dated 16.06.2016 (Annexure P-8) within a period of one month from the date of receipt of certified copy of the order. It is further directed that in case the petitioner is found entitled to the refund of excess property tax paid, the same be released to it within next fifteen days, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

(RAMENDRA JAIN)
JUDGE

February 16, 2017
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Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No