

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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**Civil Writ Petition No.29253 of 2017
Date of decision: December 20, 2017**

M/s Dairy Chem Corporation

....Petitioner

versus

Municipal Corporation, Gurugram and others

....Respondents

***CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AMIT RAWAL***

Present: Mr. Navjot Singh, Advocate for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

1. The petitioner-Firm has approached this Court, by way of instant writ petition filed under Article 226 of the Constitution of India, impugning the demand notice bearing No.66412 (**Annexure P-1**) whereby the Municipal Corporation, Gurugram, is seeking to recover property tax for the Financial year 2017-18 alongwith arrears with interest since 2008-09 to the tune of ₹ 15,74,279 /-. According to the petitioner, the same is in contravention to Haryana Building Code, 2017, Industrial (Development and Regulations) Act, 1951 and Factories Act, 1948.

2. It was contended by learned counsel for the petitioner that the petitioner-Firm through its authorised representative has raised certain objections/representations with regard to charging of property

tax from the petitioner under wrong head which are appended as Annexures P-16 & P-20. However, it was stated that respondent No.1, without adverting to the objections/representations filed by the petitioner, has issued the demand notice. It was prayed that the direction be issued to respondent No.1 to decide the said representations/objections by passing a speaking order and after affording an opportunity of hearing to the authorised representative of the petitioner-Firm.

3. After hearing learned counsel for the petitioner, perusing the writ petition and without expressing any opinion on the merits of the controversy, we dispose of the present petition by directing respondent No.1 to decide the objections/representations (**Annexure P-14**) dated 15.06.2017 and all other ancillary representations/objections, in accordance with law by passing a speaking order and after affording an opportunity of hearing to the authorised representative of the petitioner-Firm within a period of one month from the date of receipt of certified copy of the order.

(AJAY KUMAR MITTAL)
JUDGE

(AMIT RAWAL)
JUDGE

December 20, 2017
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Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No