

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.107

**CWP No.6021 of 2020 (O&M)
Date of Decision : 03.03.2020**

Smt. Koshalya Rani and others

..... Petitioners

Versus

Municipal Corporation, Gurugram and another

..... Respondents

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI
HON'BLE MR.JUSTICE AVNEESH JHINGAN

Present : Mr. Narender Pal Bhardwaj, Advocate and
Mr. Nishant Kumar Shrivastava, Advocate
for the petitioner.

AJAY TEWARI, J. (ORAL)

1. This petition has been filed challenging the action of the respondents in demanding property tax from the petitioners for the year 2008-2009 and 2010-2011 amounting to Rs.1,22,67,502/-.

2. Even though the impugned order is an appealable order yet in view of the stark circumstances of the case, we do not deem it appropriate to relegate the petitioners to the remedy of appeal for the reason that as per the petitioners the total covered area of the building is 8,722.48 sq. feet but for some strange reason the respondent-Municipal Corporation is very

obdurately insisting that the covered area of the building is more 44,688 sq. feet.

3. The only prayer made by counsel for the petitioners is that the respondent No.2 be directed to verify what is the actual status of the floor area of the building of the petitioners and thereafter to issue the revised assessment and the petitioners will pay the same without any demur.

4. On the asking of the Court, Mr. Lokesh Sinhal, Standing Counsel for the respondent-Municipal Corporation has accepted notice on behalf of the respondents. One copy of the paper book has been supplied and the counsel for the petitioners undertake to supply another copy of the paper book to the Ld. Standing Counsel during the course of the day.

5. Ld. Standing Counsel for the Municipal Corporation has also very fairly accepted that this would be an appropriate shortcut method which would be satisfactory to both the sets of parties.

6. In the circumstances, the petitioners through counsel are directed to appear before the respondent No.2-Zonal Taxation Officer on 12.03.2020 with the record and the respondent No.2 would verify the existing position and either confirm the impugned order or vary it as per the situation at the spot.

7. The auction which is said to be slated for today shall not be conducted for a period of two weeks after the subsequent order.

8. Petition stands disposed of in the above terms.

9. Since the main case has been decided, the pending C.M. Application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

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Yes/No

Yes/No