

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

119

CWP-5695-2025

Date of Decision : March 10, 2025

RAM PAL MALHOTRA AND ANOTHER

-PETITIONERS

V/S

**PERMANENT LOK ADALAT PUBLIC UTILITY SERVICE,
CHANDIGARH AND OTHERS**

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Nishant Sharma, Advocate with
Mr. Rajiv Malhotra, Advocate and
Mr. Manan Kheterpal, Advocate
for the petitioners.

Ms./Mrs. Deepali Puri, Advocate
for the respondents No.2 and 3.

KULDEEP TIWARI, J. (ORAL)

1. The grievance encapsulated in the instant writ petition is twofold. The first grievance stems from the order dated 07.02.2025, whereby, the petitioner's request for restraining the respondent(s) from taking any coercive action against the property in question has been declined by the Permanent Lok Adalat. Insofar as the second grievance is concerned, origin thereof is embodied in the purported indolent and lackadaisical approach of the respondent(s)- Municipal Corporation, Chandigarh inasmuch as the petitioner claims that his application, wherein becomes enclosed dispute with regard to property tax arrears, has not yet been decided, rather coercive action is straightaway being adopted through attachment of the property in question.

2. Concisely speaking; the whole dispute hinges upon a demand raised by the Municipal Corporation, Chandigarh, from the petitioners, in respect of property tax arrears from 2004-2005 to 2019-2020 amounting to ₹ 18,19,279/- for PID 170072 and ₹ 3,11,712/- for PID 170348.

3. The learned counsel for the petitioners submits that, despite filing various representations and objections before the Commissioner, Municipal Corporation, Chandigarh, the grievance of the petitioners remain yet unaddressed and unresolved. He further submits that, in the event of a mandamus becoming passed by this Court upon the Commissioner, Municipal Corporation, Chandigarh, to decide the petitioners' representations/objections, the petitioners would not press for their first grievance with regard to setting aside the order dated 07.02.2025 and would also be ready and willing to deposit the entire amount, as demanded by the latter, but, subject to the outcome of their representations/objections.

4. Taking into account the innocuous and bona fide prayer of the learned counsel for the petitioners, this Court deems it appropriate to direct the competent authority/Municipal Corporation, Chandigarh to, in the event of the petitioners depositing the entire amount, as demanded through the impugned demand notice(s), within twenty days from today, make endeavour to decide the representations/objections filed by the petitioners within a month therefrom. In case, the competent authority arrives at a conclusion that, the amount deposited by the petitioners is in surplus of the actual payable amount of property tax, the said surplus amount, if any, be adjusted towards the future sums of property tax. Moreover, the petitioners shall also be at liberty to, at the time of depositing the demand amount(s),

file fresh objections for consideration and decision by the competent authority concerned.

5. Disposed of accordingly.

March 10, 2025
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No