

(2026) 03 MP CK 0852

In the Madhya Pradesh High Court, Indore Bench

Case No : Writ Petition No. 7859 Of 2026

Saifee Raja

APPELLANT

Vs

Indore Municipal Corporation And Others

RESPONDENT

Date of Decision : 18-03-2026

Acts Referred:

Municipal Corporation Act, 1956 — Section 174

Citation : (2026) 03 MP CK 0852

Hon'ble Judges : Pavan Kumar Dwivedi, J

Bench : Single Bench

Advocate : Vivek Dalal, Aniket Naik

Final Decision : Disposed Of

Judgement

Pavan Kumar Dwivedi, J

1. Heard on admission.

With the consent of the parties, the matter is being decided finally.

2. The present petition has been filed by the petitioner pursuant to bill raised on 13.12.2025 (annexure P-1) with respect to residential building bearing No.7, 17-C.A.C., Scheme No. 94, Zone No.8, Indore (M.P.). The case of the petitioner is that in response to this bill, annexure P-2/objection in terms of Section 174 of Municipal Corporation Act, 1956 was submitted on 31.12.2025 whereafter the petitioner received notice dated 13.01.2026 whereby certain documents were directed to be produced before the competent authority by the municipal corporation. Pursuant to which, the petitioner submitted all the required documents along with representation dated 19.02.2026 (annexure P-4). However, after submission of these documents and comprehensive representation by the petitioner, the objection as raised vide annexure P-2 and annexure P-4 have not been decided till date.

3. Leaned counsel for the petitioner submits that as it appears from the conduct

of the respondent/municipal corporation, they tend to recover the amount as raised by the bill vide annexure P-1 without deciding the objection of the petitioner. He submits that this course cannot be adopted in view of the settled position of law. He placed reliance on an order passed by this Court in the case of Dhanya Kumar Dharamdas Agarwal and Ors. Vs. State of M.P. and others, 1999 (2) MPLJ 56.

4. Per contra, learned counsel for the respondent/municipal corporation submits that in fact, municipal corporation is in process of deciding representation/objection submitted by the petitioner.

5. In view of the clear statement made by the learned counsel for the municipal corporation at Bar, this petition is disposed of with the following directions:-

(i) The respondent/municipal corporation shall decide the representation of the petitioner in accordance with the provisions of Section 174 of the Municipal Corporation Act before issuing any notice of demand in terms of said section, after giving an opportunity of hearing to the petitioner.

(ii) No coercive action shall be taken against the petitioner before deciding objections.

6. With the aforesaid, the present writ petition stands disposed of.