
(2020) 12 MP CK 0194

In the Madhya Pradesh High Court

Case No : Writ Petition No. 19810 Of 2020

ST. Alyousius School Panagar Jabalpur And Others

APPELLANT

Vs

Municipal Council Panagar

RESPONDENT

Date of Decision : 22-12-2020

Acts Referred:

Municipalities Act, 1961 — Section 127A(2)(c), 167(1)

Citation : (2020) 12 MP CK 0194

Hon'ble Judges : Vishal Dhagat, J

Bench : Single Bench

Advocate : Anshuman Singh

Final Decision : Disposed Of

Judgement

Vishal Dhagat, J

The petitioners have filed the present petition challenging notices dated 23.10.2020 and 23.11.2020 (Annexures P/5 & P/6). By the said notices

petitioners were asked to deposit balance dues of property tax. If said dues were not deposited then action may be taken against the petitioners under

section 167(1) of Municipalities Act, 1961.

Learned counsel for the petitioners submitted that petitioner no.1 is an educational institution which is run by petitioner no.2. The institution works only

for educational purposes, therefore, as per Section 127-A(2)(c) of the Act, property is exempted from property tax. The petitioner/institution has

preferred an application/objection before the authority stating that said property tax cannot be levied on the petitioner/institution due to said exemption,

however application filed by the petitioner/institution has not been considered. In view of the same it is prayed that respondents be directed to consider

and decide the objection raised by the petitioner/institution within some reasonable time and meanwhile no coercive action be taken against the petitioner/institution.

Considering the grounds raised in the petition, this petition is disposed of with a direction to Chief Municipal Officer, Nagar Palika Parishad, Panagar,

District Jabalpur to consider and decide the representation filed by the petitioners within a period of 30 days from the date of receipt of certified copy of this order.

In the meanwhile, it is directed that no coercive action be taken against the petitioner/institution.

With the aforesaid direction, this petition is disposed off.

C.C as per rules.