


MHKO070006482022 	<u>ORDER BELOW EXH.62 IN SPECIAL CIVIL SUIT NO. 27/2022.</u> National Dying and Bleaching Works through Shri. Nitin Ved and anr., Vs. Grampanchayat Udgaon and anr.,
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The plaintiff has filed the present application for seeking permission to deposit the house tax amount of Rs.2,09,265/- recoverable till the year 2004-05. The defendant No.1 has filed its say (Exh.68) and objected the application.

2. Perused the application, say and record. Heard both sides. According to the plaintiff, it is not disputed by the defendant No.1 that till the year 2004-05 the house tax amount of Rs.2,09,265/- is due towards it. The plaintiff is ready to deposit the said amount in the Court. On the other hand, it is alleged by the defendant No.1 that till the year 2022 the amount of Rs.16,96,499/- is due towards the plaintiff. The charge of the said amount is already kept on the property of the plaintiff. The plaintiff has not sought such relief in the plaint, therefore, according to the defendant No.1 the application is liable to be rejected.

3. On perusal of record, it appears that the plaintiff has filed the present suit for declaration that the notice issued by the defendant No.1 dtd.24.03.2022 for recovery of house tax amount of Rs.16,96,499/- is illegal. In the plaint, the plaintiff has not alleged that he is ready to deposit the house tax amount of Rs.2,09,265/- which is due till the year 2004-05. Admittedly, the interim orders in the suit are to be ancillary to the main relief of the suit. In the plaint, the plaintiff has not sought the prayer directing the defendant to accept the said amount. Moreover, the plaintiff has not mentioned any reason behind depositing the said amount in the Court. So also, it is not disputed by the parties that the

Block Development Officer has rejected the application of the plaintiff, seeking permission to deposit the said amount in the Grampanchayat. In such circumstances, there is no reason to permit the plaintiff to deposit the said amount in the Court. Hence, the application is liable to be rejected. In the result, I pass following order.

ORDER

The application (Exh.62) is rejected.

Date : 05.11.2025.

(P. A. Patil)
Jt. Civil Judge Senior Division,
Jaysingpur.