

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 825 OF 2015
WITH
CIVIL APPLICATION NO. 2349 OF 2015**

The Tata Power Company Ltd. .. Petitioners

V/s.

The Mangaon Panchayat Samiti & Ors. .. Respondents

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Mr. P. K. Dhakephalkar, Senior Counsel a/w. Mr. H. N. Vakil i/b. M/s. Mulla & Mulla and CB & C, Advocate for the Petitioners.

Mr. Prakash Mahadik, Advocate for the Intervenor in CAW No.2349 of 2015.

Mr. Ashutosh C. Gavenekar i/b. Mr. Subas Deokar, Advocate for Respondent No.2.

Mr. C. G. Gavnekar, Advocate for Respondent No.3.

Mr. P. P. Kakade, AGP for Respondent No.5.

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**CORAM : NARESH H. PATIL AND
S.B. SHUKRE, JJ.**

DATED : DECEMBER 11, 2015.

P.C.

The Photostat copy of order passed by the Divisional Commissioner, Konkan Region dated 4th December, 2015, is placed on record. The Senior Counsel appearing for the

petitioner submits that the State has sanctioned the proposal forwarded by the Zilla Parishad. The proposal was in respect of payment of property taxes by the petitioner in favour of the Gram Panchayat.

2 The subject issue was pending since last so many years. The learned counsel appearing for the petitioner, learnedcounsel appearing for the Gram Panchayat, learned counsel for the Zilla Parishad submit that appropriate orders may be passed in accordance with the decision taken by the State. The counsel agree that in accordance with the State's sanction the Gram Panchayat would levy and collect taxes.

3 Learned senior counsel for the petitioner submits that the petitioner had deposited a sum of Rs.2.02,95,405/- (Rupees Two Crores Two Lakhs Ninety Five Thousand Four Hundred Forty Five) and the balance amount of Rs.2,26,78,065/- (Rupees Two Crores Twenty Six Lakhs Seventy Eight Thousand Sixty Five) shall be paid within eight weeks from today in full and final settlement. This statement is accepted by the counsel appearing for the Zilla Parishad and Gram Panchayat.

4 The learned AGP has taken instructions and submitted that the Divisional Commissioner who is delegated authority of the State Government had passed order on 4th December, 2015, which is placed on record before this Court today.

5 The counsel appearing for the petitioner submits that an amount of Rs.25,88,120/- (Rupees Twenty Five Lakhs Eighty Eight Thousand One Hundred Twenty) will be paid as yearly tax from the year 2010 - 11 onwards.

6 In view of the statement made above, the petition stands disposed of.

7 In view of the above, Civil Application No.2349 of 2015 does not survive and is disposed of accordingly.

(S. B. SHUKRE, J.)

(NARESH H. PATIL, J.)