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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7480 OF 2013

Smt. Gayatri S. Sharma

..Petitioner.

V/s.

Vasai-Virar Municipal Corporation and Ors.

..Respondents.

Mr.H.R. Sharma for the petitioner.

Mr.Sandeep Aole i/b. Vidhi Partners AGP for respondent No.1.

Mr.V.P. Malvankar, AGP 'A' Panel for respondent No.4.

**CORAM : A.S.OKA AND
V.L.ACHLIYA, JJ.**

DATED : 19TH OCTOBER, 2015

P.C. :-

1. Heard the learned counsel appearing for the petitioner, the learned counsel appearing for the first respondent and the learned AGP appearing for the fourth respondent. The learned counsel for the first respondent states that the Municipal Corporation is trying to ascertain whether the record of Village Panchayat is available with the office of the Block Development Officer.

2. The appropriate remedy of the petitioner is to file a Civil Suit for recovery of the alleged bill amount.

3. We direct the Municipal Corporation to make efforts to trace the record of the Village Panchayat of Saloli, Taluka Vasai,

District Thane. If the record is traced out, the Municipal Commissioner shall consider the representation made by the petitioner and take appropriate decision thereon in accordance with law.

4. We make it clear that the Municipal Commissioner is under no obligation to take appropriate decision unless the record is traced out. If the record cannot be traced within a period of one month from today, the Commissioner shall inform the petitioner or her Advocate accordingly. The petition is disposed of in the above terms. This order will not preclude the petitioner to from adopting appropriate remedy before the Civil Court.

(V.L.ACHLIYA, J.)

(A.S.OKA. J.)