

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.2577 OF 2014

Hiten Nanji Shah. .. Petitioner
Vs
Municipal Corporation of Gr.Mumbai and Anr. .. Respondents
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Ms. Priti Sejal Shah for the Petitioner.
Shri Vinod Mahadik for the Respondents-BMC.
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CORAM : A.S. OKA &
VLACHLIYA, JJ
DATED : 12TH OCTOBER 2015

PC.

. Heard the learned counsel appearing for the Petitioner and the learned counsel appearing for the Respondents. It is not in dispute that on the basis of the notices issued under Sub-section (2) of Section 162 of the Mumbai Municipal Corporation Act, 1888 (for short “the said Act”) dated 19th March 2008 and 9th March 2010, the complaints have been filed by the Petitioner in accordance with Section 163 of the said Act.

2. The learned counsel appearing for the Respondents on instructions of Shri Manohar Kadam, Ward Inspector “A” Ward, states that a notice will be issued to the Petitioner on the said complaints and after following the provisions of Sections 164 and 165 of the said Act, appropriate order will be passed. We accept the said statement.

3. In view of this statement, it is obvious that only after the authentication of the ward assessment book in accordance with Section 166 of the said Act, a demand can be made by the Municipal Corporation.

4. In view of the aforesaid statements and what is observed above, the Petition is disposed of.

5. Complaints filed by the Petitioner shall be disposed of as expeditiously as possible and in any event within a period of eight weeks from today.

6. All the contentions on merits are kept open.

(V.L. ACHLIYA, J)

(A.S. OKA, J)