

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

Writ Petition No. 1783 of 2015

S. Kapursingh Tuli & Sons, Nagpur through Partner Mohabbat Singh Tuli
-Vrs.-
Corporation of City of Nagpur through its Municipal Commissioner and
another.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri. A.M. Ghare , advocate for petitioners.
Shri J.B. Kasat, advocate for respondent nos.1 & 2.

**CORAM : B.R. Gavai &
Indira K. Jain, JJ.**

DATED : 6th JULY, 2015

Heard. The joint pursis filed by the parties is taken on record.

The limited grievance restricted in the petition is that though now the respondent Corporation is governed under the provisions of the Maharashtra Municipal Corporations Act, the assessment has been made under the Old Act.

Mr. Kasat, learned counsel appearing for Nagpur Municipal Corporation fairly states that the respondent Corporation is willing to make fresh assessment for the assessment years 2008-09 onwards of the property of the petitioner under the provisions of the Maharashtra Municipal Corporations Act and further to adjust the amount already deposited by the petitioner.

Hence, the petition is disposed of directing the

respondent Corporation to make fresh assessment of the properties of the petitioner under the provisions of the Maharashtra Municipal Corporations Act and to adjust the amount already deposited by the petitioner. The amount deposited by the petitioner in this court is permitted to be withdrawn by the petitioner. We make it clear that we are not observing anything about the entitlement of the Corporation to make assessment from the year 2008-09 also and all questions regarding limitations etc. are kept open.

The petition is disposed of accordingly.

Hirekhan

JUDGE

JUDGE