

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

919 CIVIL REVISION APPLICATION NO. 27 OF 2016

GODAVARI KHORE NAMDEVRAOJI PARJANE PATIL, SAHAKARI DUDH
UTPADAK SANGH LTD. THROUG

VERSUS

THE TAXING OFFICER, HIGH COURT OF BOMBAY BENCH AT
AURANGABAD

...

Advocate for Applicant : Mr. Shinde S. K.
Advocate for Respondent : Mr. Khandare N. B.

CORAM : T. V. NALWADE, J

DATE : 15th April, 2016

PER COURT :

1. Heard both sides. Seen the contents of Writ Petition No.6068/2012, seen the reasoning given by the Taxing Officer. Seen the copy of Writ Petition No. 9106/2010 decision of which is considered by the Taxing Officer.

2. The petitioner, Sangh was claiming benefit of Government scheme in respect of its own plant as mentioned in para 4 of the petition. The benefit was not being claimed in respect of the plants of its members and so it was an individual case of the petitioner. Accordingly, court fee was paid.

3. In view of this circumstance, the court fee could not have been asked in respect of all the members

of the Sangh and the benefits would not have been given to the members and the benefits was to be given only in respect of one plant which was installed by the petitioner as mentioned in para 4 of the petition.

4. The order made by the taxing officer is hereby set aside.

5. Civil revision application is accordingly disposed of.

(T. V. NALAWADE, J.)

JPC