

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

**WRIT PETITION NO. 10261 OF 2013**

Indus Towers Ltd.

.. Petitioner

**Versus**

The State of Maharashtra and others

.. Respondents

Shri Sachin S. Deshmukh, Advocate for the Petitioner.

Mrs. M. A. Deshpande, A.G.P. for Respondent Nos. 1 and 2.

Shri H. B. Nandagavale, Advocate h/f Shri Vijay G. Sakolkar,  
Advocate for Respondent Nos. 3 and 4.

**CORAM : S. V. GANGAPURWALA AND  
K. L. WADANE, JJ.**

**DATE : 01ST SEPTEMBER, 2016.**

**PER COURT :**

. The petitioner assails the demand notice levying property tax on the area possessed by the petitioner including that for the tower.

2. The learned counsel for respondent Nos. 3 and 4 submits that, the petitioner has an alternate remedy of an appeal U/Sec. 124(5) of the Maharashtra Village Panchayat Act.

3. In view of that, we dispose of the writ petition with liberty to the petitioner to avail the alternate remedy. If appeal is filed

within a period of fifteen (15) days from today, the same shall be considered within limitation. All contentions of respective parties are kept open. No costs.

4. This Court had granted interim order on 21<sup>st</sup> December, 2013 on payment of 50% of the amount covered under the demand notice. It is submitted that, the petitioner has paid amount as directed by this Court.

5. In the light of that, interim orders passed by this Court on 21<sup>st</sup> December, 2013 shall continue till the disposal of appeal. The appeal filed by the petitioner shall be decided by the authority expeditiously and preferably within a period of six (06) months from the date of receipt of the appeal.

**[ K. L. WADANE, J. ]**

**[ S. V. GANGAPURWALA, J. ]**