

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

Reliance Infocomm Infrastructure Limited ...Petitioner
Vs.
Navi Mumbai Municipal Corporation & Ors. ...Respondents

**CORAM : SHANTANU S. KEMKAR &
M.S. KARNIK, JJ.
DATED : 26TH JULY, 2016**

Parties through their Counsel. With the consent of the parties the matter is heard finally.

2. The grievance of the Petitioner is that without giving any fair opportunity to the Petitioner the impugned notices have been issued. According to the Petitioner much of the amount claimed in the impugned notices have already been

deposited by the Petitioner. On the other hand learned Counsel appearing for the Respondent Municipal Corporation submits that the notices are just and proper and as per Municipal Record the aforesaid dues are required to be paid by the Petitioner.

3. Having considered the statements made by the learned Counsel for the parties and having gone through the various bills and the notices we are of the view that one opportunity needs to be given to the Petitioner by the Respondent No.4 to reconcile the accounts. We also direct the 4th Respondent to consider the Petitioner's grievance and take appropriate decision. In the circumstances, we dispose of this Petition by directing Respondent No.4 to give opportunity of hearing to the Petitioner and to pass a fresh order determining the final amount payable by the Petitioner. However this direction as agreed to by the Petitioner is subject to the Petitioner's depositing 75% of the amount demanded in the impugned notice, within 2 weeks from today. On such deposit being made, the Petitioner be given opportunity of hearing by the

Respondent No.4 within 2 weeks thereafter and to pass fresh order. The amount as may be determined by the Corporation shall be paid by the Petitioner within a week thereafter subject to the Petitioner's right to challenge the same before Competent Authority.

5. With the above directions the Petition is disposed of.

(M.S. KARNIK, J.)

(SHANTANU S. KEMKAR, J.)