

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

WRIT PETITION NO. 562 OF 2017

Reliance Communication Ltd.,
& Others .. Petitioners.
v/s.
Kalyan Dombivali Municipal Corporation
& Others .. Respondents.

Mr. Venkatesh Dhond, Sr. Advocate with Mr. Sarosh Bharucha i/b. Mr. Hafeezur Rahman, for the Petitioners.
Mr. A. S. Rao, for the Respondent No.1-Corporation.

**CORAM: M.S.SANKLECHA, &
A.K.MENON, JJ.**

DATE : 16th FEBRUARY, 2017.

P.C:-

Mr. Dhond, learned Senior Counsel for the Petitioner seeks to withdraw the Petition. This with a liberty to file an appeal under Section 406 of the Maharashtra Municipal Corporation Act (the Act) in respect of the property tax payable to the Respondent No.1-Corporation.

2 It is made clear in view of Section 435 of the Act, that in case the Petitioner does file an appeal to the Appellate Authority, then the period spent in this Court from 12th January, 2017 till date in prosecuting the present Petition, would stand excluded for the purpose of computing the limitation under Section 406 of the Act.

3 Mr. Rao, learned Counsel for Respondent-Corporation, on

instruction of Mr. A. H. Lad, Assessor & Collector (Taxes), states that the Respondent-Corporation will not adopt any coercive steps for recovery of property taxes for a further period of 15 days from the date of the Petitioner filing its appeal under Section 406 of the Act within 10 days from today.

4 **Petition dismissed as withdrawn**, with liberty as aforesaid.

(A.K.MENON,J.)

(M.S.SANKLECHA,J.)