

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

WRIT PETITION NO. 2111 OF 2017

AGS Transact Technologies Ltd., .. Petitioner.
v/s.
Navi Mumbai Municipal Corporation
& Others .. Respondents.

Mr. Vishal Kanade with Mr. Parikshit Desai i/b. Mr. Vikramsinh Yadav, for the Petitioner.
Mr. Sandeep Marne with Mr. Vishal Shirke, for Respondent-Corporation.
Mr. Sandeep Baber, AGP for Respondent-State.

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

DATE : 16th FEBRUARY, 2017.

P.C:-

This Petition challenges two demand notices dated 3rd February, 2017 issued by the Navi Mumbai Municipal Corporation to the Petitioner for non-payment of property taxes under the Maharashtra Municipal Corporation Act (the Act). The two impugned demand notices are in respect of the two properties bearing Plot Nos.EL-82 and EL-83, M.I.D.C., Navi Mumbai.

2 Mr. Kanade, learned Counsel for the Petitioner seeks to withdraw this Petition, with liberty to file an Appeal under Section 406 of the Act. However, it is the apprehension of the Petitioner that as the two demand notices dated 3rd February, 2017 and the bills in support thereof have been issued in the name of the Petitioner's predecessor, there could be some difficulty in its appeal being entertained.

3 Mr. Marne, learned Counsel appearing for the Corporation very fairly states that Corporation will not take any objections in respect of the appeal, if any, filed by the Petitioner only on account of the bills and two demand notices, not being addressed to the Petitioner.

4 In view of the statement made by Mr. Marne, Mr. Kanade withdraws the Petition.

5 Mr. Marne, learned Counsel appearing for the Corporation further states that in case, the appeal is filed within a period of 10 days from today, the Respondent-Corporation will not act further upon the two demand notices dated 3rd February, 2017. Further, if the appeal is so filed within the stipulated period, the Respondent-Corporation will not adopt any coercive action against the Petitioner for a further period of three weeks.

6 Accordingly, **Petition** is **disposed of** in the above terms. No order as to costs.

All contentions left open.

(A.K.MENON,J.)

(M.S.SANKLECHA,J.)