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

**WRIT PETITION NO. 3211 OF 2017
WITH
CIVIL APPLICATION NO. 626 OF 2017**

Indus Towers Ltd.	...Petitioner
<i>Versus</i>	
Mira Bhayandar Municipal Corporation & Ors.	...Respondents
 Mr.V. Tulzapurkar with Amit Jamsandekar, Prasad Dhonde, T. Kapadia I/b. Link Legal India Law Services for Petitioner. Mr.N.R. Bubna with Pooja Singh for Respondent Corporation.	

**CORAM: M. S. SANKLECHA &
S.C. GUPTE, JJ.**

DATE : 6 APRIL 2017

P.C. :

This petition challenges the notice dated 8 February 2017 (Exhibit-C to the Petition) demanding penalty (shasti) and interest under the Maharashtra Municipal Corporations Act, 1949 (Act) and Rules thereunder relating to property taxes. The impugned communication also records that “as per the writ petition filed by you in Bombay High Court, you have paid the property tax bills excluding Shasti and interest amount”.

2 Mr.Bubna, learned Counsel appearing for the Corporation, on instructions, states that the impugned notice dated 8 February 2017 is withdrawn by Respondent No.1 Corporation.

3 In view of the above observation, as quoted hereinabove, found in the impugned notice, the Respondent corporation will not take any action against the Petitioner in respect of non-payment of any property tax bills and/or penalty and/or interest unless it gives a clear 72 hours notice to the Petitioner of the action it proposes to take along with copies of the bills which have been issued and which, according to the Corporation, are still payable. In view of the impugned communication being withdrawn by the Corporation, we have had no occasion to examine the merits of the Petitioner's grievance.

4 The petition is disposed of in above terms. In view of the disposal of the petition, the civil application does not survive and the same also stands disposed.

(S.C. GUPTE, J.)

(M. S. SANKLECHA, J.)