

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

WRIT PETITION NO. 11428 OF 2013

Life Insurance Corporation of India .. Petitioner.
v/s.
Kalyan Dombivli Municipal Corporation
& Another .. Respondents.

Mr. Rajesh S. Datar, for the Petitioner.
Mr. A.S.Rao, for Respondent No.1-Corporation.

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

DATE : 25th JANUARY, 2017.

P.C:-

This Petition under Article 226 of the Constitution of India, challenges notices dated 20th March, 2013, 16th August, 2013 and 19th October, 2013 issued by the Respondent No.1-Corporation, seeking to recover property tax for the period 1st January, 2010 to 31st March, 2013. The amounts of proper tax payable till 24th January, 2017 by the Petitioner for the above period, according to the Respondent-Corporation is Rs.6,76,009/- i.e. inclusive of interest in its affidavit in reply dated 24th January, 2017.

2 Mr. Datar, on instructions of Mr. Maheshbhai Boricha, Administrative Officer (Legal) states that the amount of Rs. 6,76,000/- as demanded, would be paid to the Corporation within three weeks from today, without prejudice to its right and contention. Further, on

instructions of Mr. Maheshbhai Boricha, Administrative Officer (Legal), Mr. Datar, learned Counsel for the Petitioner seeks leave to withdraw this Petition and file a fresh Petition, challenging the vires of Section 150-A of the Maharashtra Municipal Corporation Act, 1949. Liberty as sought for, granted.

3 **Petition dismissed as withdrawn**, with liberty as aforesaid.

All contentions left open.

(A.K.MENON,J.)

(M.S.SANKLECHA,J.)