

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

WRIT PETITION NO.78 OF 2017

Indus Towers Ltd.	.. Petitioner.
Vs.	
The Pune Municipal Corporation & Others	.. Respondents.

Mr. Anil Anturkar, Senior Counsel with Mr.Sugandh Deshmukh for the petitioner.
Mr. Prasad Dhakepalkar, Senior Counsel with Mr.Vishwanath Patil with Mr.Abhijeet Kulkarni for the Respondents.

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

DATED : 12TH JANUARY, 2017

P.C. :

1. This petition challenges a notice of demand dated 21st December, 2016 and a warrant of attachment dated 23rd December, 2016. The impugned demand notice and warrant of attachment have been issued by Respondent No.1 - Corporation in view of the petitioner's failure to pay the property taxes on its Mobile Towers.

2. Mr.Anturkar, learned Senior Counsel appearing for the petitioner states that according to the petitioner the entire

amount of property taxes which were payable under the impugned communications have already been paid. According to the petitioner, the respondent - corporation has to work out demand, if any, which would still be payable after taking into consideration the amount which the petitioner has already paid. It is essentially a issue of reconciliation of figures between the Petitioner and the Respondent - Corporation.

3. Mr.Anturkar, learned senior counsel appearing for the petitioner states that they would file a representation within a week with supporting evidence pointing out how the entire demand raised in demand notice dated 21st December, 2016 has already been paid. Mr.Dhakepalkar, learned senior counsel appearing for the Respondents states that within a period of two weeks from the petitioner filing a representation, they would after hearing the petitioner, communicate to the petitioner the result of the reconciliation of the amount received from the petitioner and that payable under demand notice dated 21st December, 2016. It is made clear that in case the communication made by the Respondent corporation, consequent to the Petitioner's representation is adverse to the petitioner, then for a period of one week from communication of the result of reconciliation by the corporation to the petitioner, no coercive proceedings would be taken by the corporation.

4. In the above view Mr.Anturkar, learned senior counsel on instructions of Shri Ramesh Salvekar, Legal Head, Maharashtra, who is present in the Court seeks to withdraw present petition.

5. Petition disposed of in terms of the aforesaid directions. All contentions are kept open.

(A.K. MENON,J.)

(M. S. SANKLECHA,J.)