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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1643 OF 2013

Vakas Mustaque Patel	...Petitioner
vs.	
Bhivandi Nijampur City	
Municipal Council & Anr.	...Respondents

Mr.Sugandh B. Deshmukh and Mr.Amol Gatne for the
Petitioner
Mr.N.R.Bubna for the respondent Nos.1 and 2

CORAM : A.S.OKA, &
RIYAZ.I.CHAGLA, JJ.
DATE : JUNE 26, 2018

P.C.:

1 The challenge in this petition under Article 226 of the Constitution of India is to the notice dated 4th February 2013 at Exhibit-A to the petition. Notice is of attachment of the property allegedly owned by the petitioner. Attachment was sought to be levied on the ground of non payment of property taxes bill, a copy of which is annexed as Exhibit-B. A sum of Rs.45,599/- was claimed towards arrears. It is not in dispute that the same amount was demanded by the impugned notice at Exhibit-A.

2 The grievance made by the petitioner is that the bill at Exhibit-B is issued in the name of the deceased father of the petitioner who had passed away on 3rd February 2012. Nothing is placed on

record to show that the petitioner applied for entering his name in place of his father in the Assessment Register. The petitioner can always do so in accordance with law.

3 As the amount demanded under Exhibit-A has been already paid, nothing survives in this petition as now the first respondent cannot take any action on the basis of the notice at Exhibit-A and bill at Exhibit-B.

4 Subject to what is observed above, writ petition is disposed of.

(RIYAZ.I.CHAGLA,J.)

(A.S.OKA,J.)