

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO.1238 OF 2018**

Nitin Datar & Others

..Petitioner.

v.

The State of Maharashtra & Others

..Respondents.

Mr.Rajiv Narula i/by Mr.Rajesh Khobragade for the petitioner.

Ms.Pallavi Thakar for the respondent/BMC.

MR.V.R. Tripathi for respondent Nos.4 and 5.

**CORAM : A.S. OKA &
RIYAZ I. CHAGLA, JJ.**

DATE : 17th APRIL, 2018

P.C.

. Not on board taken on board.

1 It is not in dispute that on the basis of the allegation of non payment of property taxes, the premises in possession of the petitioners have been sealed. There is no power vested in the Mumbai Municipal Corporation under the provisions of the Mumbai Municipal Corporation Act, 1988 to seal a premises for non-payment of municipal taxes.

2 We accordingly direct the 1st respondent to immediately remove the seals affixed on the premises of the petitioners.

3 We make it clear that the 1st respondent is free to take appropriate proceedings and to take appropriate steps for recovery of municipal taxes in accordance with law.

4 The petition stands disposed of with the above directions.

(RIYAZ .I.CHAGLA, J)

(A.S. OKA, J)