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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L)NO.1672 OF 2018

Arshiya Limited	...Petitioner
vs.	
Municipal Corporation of Greater Mumbai & Others	...Respondents

Mr.Dharmapal Dave a/w Mr.Ajinkya Patil i/b Naik
Patil Salvi and Associates for the Petitioner
Ms Vandana Mahadik for the respondent Nos.1 and
Mr.Siddharth Samantary with Ms Khyati Kanani i/b
Kanani and Company for respondent No.3

CORAM : A.S.OKA, &
RIYAZ.I.CHAGLA,JJ.
DATE : JUNE 18, 2018

P.C.:

1 Heard the learned counsel appearing for the petitioner, the learned counsel for the respondent Nos.1 and 2 and the learned counsel for the respondent No.3. It is not in dispute between the petitioner and the respondent No.3 that separate applications made by both of them for refund of property tax are pending with the respondent Nos.1 and 2. Both of them are claiming refund of the same amount.

2 Therefore, this petition need not be kept pending and the same is disposed of by passing the following order:

(I) We direct the appropriate Officer of the respondent No.1 to hear the applications made by both the petitioner and the respondent No.3 for grant of refund. The applications shall be heard together and in peculiar facts of the case, we direct the appropriate Officer to give personal hearing to the said two parties before both the applications are decided;

(II) Both the applications shall be disposed of as expeditiously as possible and in any event, within a period of two months from today;

(III) The copies of the order passed on both the applications shall be furnished to the petitioner and the respondent No.3;

(IV) If order of refund/adjustment is granted to any of the parties, the said order shall not be acted upon for a period of two weeks from the date on which the order is served to the petitioner and the respondent No.3;

(V) We make it clear that we have made no adjudication on the merits of the pending applications.

(RIYAZ.I.CHAGLA,J.)

(A.S.OKA,J.)