

psv

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L.) NO.3016 OF 2018**

Sapphire Bar And Restaurant

...Petitioner

Vs.

**Municipal Corporation of Greater
Mumbai & Ors.**

...Respondents

**Mr.Amir Arsiwala with Mr.Akshay Mehta i/b. Ms.Mansi Patel for
Petitioner.**

Ms.Sheetal Metakari for MCGM.

**CORAM : NARESH H. PATIL, ACTING C.J. AND
G.S. KULKARNI, J.**

DATE : 21st SEPTEMBER 2018

P.C.:

The petitioner is aggrieved by the order passed by the Municipal Corporation on 20th August 2018. It is contended on behalf of the petitioner that before the order was received, the petitioner had produced certain documents which are not taken into consideration.

2. The learned Counsel appearing for the Corporation submits that the Corporation needs to verify the contentions raised by the petitioner and at this stage, it would not be appropriate to make any statement.

3. We have perused the record placed before us. We have considered the submissions advanced. The main document submitted by the petitioner is the Assessment Chart for the Property Tax.

4. Normally we do not interfere in the petitions on this ground, but in view of the statement made, that the main document was submitted before the impugned order was received by the petitioner, it would be appropriate to grant an opportunity to the petitioner, so that the petitioner is not prejudiced in any manner.

5. For the above reasons, the impugned order dated 20th August 2018 is quashed and set aside. The matter is remanded back to the Corporation.

6. The designated officer of the Corporation would take into consideration the relevant documents submitted by the petitioner and a fresh reasoned order be passed, without being influenced by the order passed by this Court.

7. All contentions of the parties on merits of the case are kept open.

8. In case an order adverse to the petitioner is passed, the petitioner may resort to appropriate legal remedies.

9. The writ petition stands disposed of accordingly.

G.S. KULKARNI, J.

ACTING CHIEF JUSTICE