

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.10684 OF 2019

Raj Nandini Properties Pvt. Ltd.
Through it's Director
Ashok S/o Jainarayan Baheti
Age: 43 years, Occupation: Business,
Resident of Baheti Niwas, Keli Bazar
Aurangabad, Dist.Aurangabad

PETITIONER

VERSUS

1. The State of Maharashtra
Through Secretary,
Urban Development Department
Mantralaya, Mumbai-400032
2. The Commissioner,
Municipal Corporation, Aurangabad
Dist. Aurangabad
3. The Administrator
City And Industrial Development
Corporation of Maharashtra Limited
Udyog Bhavan, New Aurangabad- 431003
4. Shree Gajanan Vaibhav Commercials
Pvt.Ltd., having its Registered Office
At 189, Rohitra, Samarth Nagar
Aurangabad, through its Chairman
Pandit S/o Tryambak Nankar
Age: 75 years, Occupation:Business
Resident of as above

RESPONDENTS

Mr A.D. Soman, Advocate for the petitioner;
Mrs P.V. Diggikar, A.G.P. for respondent No.1;
Mr A.P. Bhandari, Advocate for respondent No.2;

Mr S.V. Deshmukh, Advocate for respondent No.3;
Mr A.S. Shelke, Advocate for respondent No.4

**CORAM : PRASANNA B. VARALE &
ANIL S. KILOR, JJ.**

DATED : 26th NOVEMBER, 2019

ORAL ORDER:

Mr Soman, learned Counsel for the petitioner, on instructions, submitted that in a notice dated 23rd January, 2019 issued by the Ward Officer, there is reference of Section 406(2)(e) of the Municipal Corporation Act, 1949 and this provision deals with remedy of an appeal against the valuation and taxes, as such, the petitioner be permitted to withdraw the petition, with a liberty to take appropriate steps for availing remedy of appeal, in view of Section 406 (2) (e) of the Municipal Corporation Act of 1949.

2. Accordingly, the petition is allowed to be withdrawn, with liberty as prayed for.

[ANIL S. KILOR, J.]

[PRASANNA B. VARALE, J.]