

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

WRIT PETITION NO. 14032 OF 2019

**ARIF ABDUL GAFUR KHAN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Petitioner : Mr. Gawali Amol K.
AGP for Respondents : Mrs. A. V. Gondhalekar

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**CORAM: S. V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.**

DATE: 20th NOVEMBER, 2019

PER COURT:

1. We have heard the learned counsel for the petitioner.

2. According to us, the petitioner can seek orders of stay from the Commissioner where the appeal filed by the petitioner is pending.

3. The petitioner may seek orders of stay from the Commissioner where the appeal is filed by the petitioner challenging the imposition of tax. The respondents shall not take coercive steps pursuant to its notice under Rule 42 and 43 of the

Maharashtra Municipal Council Rules for the period of seven (07) days from today. The Commissioner shall pass necessary orders on the application of the stay within a period of seven (07) days on its own merits.

4. Writ Petition stands disposed of accordingly.

No costs.

[AVINASH G. GHAROTE, J.] [S. V. GANGAPURWALA, J.]

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