

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

WRIT PETITION NO.1078 OF 2019

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

Mr. A.K.Gawali, Advocate for the petitioner
Mr. K.N. Lokhande, AGP for the respondent/State.

**CORAM : PRASANNA B. VARALE &
S.M.GAVHANE, JJ.**

DATED : 06.02.2019

P.C. :-

1. Heard learned counsel for the petitioner.
2. The petitioner is resident of Aurangabad City/town. The grievance of the petitioner is in respect of rise in the property taxes. Submission of the learned counsel for the petitioner is rise in the property taxes sought to be effected by the Aurangabad Municipal Corporation i.e. respondent No.2 is not only an unprecedented exorbitant as this rise in multiples and causing a serious prejudice to the residence. Learned counsel invited our attention to the bills issued by the Ward officers to the petitioner. Such bills are placed on record at Exh. 'K' collectively. The petitioner immediately approached the Ward Officer raising his grievance. Copy of the application/representation dated 15.10.2018 is placed on record. It is stated in the application/representation that the demand is to the tune of Rs.17,42,776.20. This demand is of exorbitant amount that to without therein any basis for such an exorbitant amount. It is also submitted that the petitioner was dutiful paying the property taxes till

2015-16 at the rate of Rs.85,746/- per annum. Then our attention was invited to the other representation to the Ward Officer dated 19.11.2018 and a representation to the Commissioner, Municipal Corporation, Aurangabad dated 14.12.2018 i.e. the latest representation to respondent No.3.

3. Considering these facts without expressing any opinion on the merits, namely, whether the rise in the taxes is an exorbitant rise or otherwise, we dispose the petition on the backdrop of the fact that a representation is submitted to the Commissioner, Municipal Corporation, Aurangabad. The Commissioner Aurangabad Municipal Corporation is the Competent Authority and the decision of the Commissioner is awaited on representation submitted to him sometime in the month of December, 2018.

4. On the backdrop of this fact, the petition is disposed of with direction to respondent No.3-the Commissioner, Municipal Corporation, Aurangabad to decide the application/representation dated 14.12.2018, needless to state on the merits of the application/representation as expeditiously as possible and not later than six weeks from the date of order of this Court.

5. With these above directions, the writ petition is disposed of.

[S.M.GAVHANE, J.]

[PRASANNA B. VARALE, J.]