

13.9.2019

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 760 OF 2019

Pingalsai Gram Panchayat

...Petitioner

V/s.

Roha Municipal Council

and Ors.

....Respondents

Mr. Rishin Mantri I/by. Mr. S.B.Shetye, Advocate
for the petitioner.

Mr. A.I.I. Patel, Addl. G.P. for respondents no.2 to
4.

**CORAM : B.P. DHARMADHIKARI, &
SANDEEP K. SHINDE, JJ.**

Wednesday, 13th September, 2019.

P.C. :

1. Heard for some time.

2. Effort of petitioner is to show that from properties falling within its area, respondent no.1-Municipal Council is arbitrarily attempting to recover taxes.

3. During hearing, we find that area of respondent no.1-Municipal Council has been extended and some part of Gram Panchayat has been added to it.

4. Various disputed questions arise. The identification of properties with location and placement either in Municipal area or Gram Panchayat is essential. This exercise is possible only if the Notifications extending the area and reconstituting Municipal Council/Gram Panchayat are made available.

5. We therefore find that issue can be better

looked into by respondent no.2, Collector.

6. We permit petitioner to make appropriate representation before the Collector within three weeks. If such representation is made with proper documents, respondent no.2-Collector shall, after extending opportunity to respondent no.1-Municipal Council, take suitable decision in the matter in next three months.

7. With these directions and keeping all rival contentions open, we dispose off the petition.

(SANDEEP K. SHINDE, J.)

(B.P. DHARMADHIKARI, J.)