

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

FIRST APPEAL NO. 08 OF 2015

Wagale Smruti Co-operative Hsg. Soc. Ltd. Appellant.
Vs.
The Mumbai Municipal Corporation
of Greater Mumbai Respondent

.....
Mr. G. V. Maruti a/w Mohun Rao I/b MSR & Associates for the Appellant.
Mrs. Sheetal Mane for the Respondent.
.....

CORAM : K.K.TATED, J.
DATED : JUNE 25, 2019

P.C.

- 1 Heard learned counsel for the parties.
2. By this First Appeal, the Appellant is challenging the Judgment and decree dated 5th September, 2014 passed by the Small Causes Court at Bombay in Municipal Appeal No. 17 of 2006 rejecting Appeal under Section 217 of the Mumbai Municipal Corporation Act, 1988 against the order of Investigating Officer of the Respondent dated 18th November, 2004 for fixing the rateable value @ Rs. 40,725/- with effect from 1st April, 2003.

3. Considering the submission made by the learned counsel for the Appellant and impugned Judgment and decree, I am satisfied that the Appellant has made out a case for following order:

- a. **Admit.**
- b. Printing dispensed with.
- c. The Appellant is directed to file private paper book with copy to other side within one year from today failing which the first appeal shall stand dismissed without further reference to the court.
- d. The Registry is directed to call R & P immediately.
- e. The learned counsel Mrs. Sheetal Mane waives service.

(K.K.TATED, J.)