

following order is passed -

- (a) Respondent No.1 shall pay and/or reimburse [if paid by the Petitioner (Org. Claimant)], such amounts towards property taxes up to March 2016, subject to verification and accounts.
- (b) Respondent No.1 has paid a sum of Rs.41,67,063/- as on September 2015 towards property taxes and the Municipal Corporation of Greater Mumbai (MCGM) has issued a Receipt No. 2055049. However, if any, amount is still found due and payable, the same shall be paid by Respondent No.1 and/or if paid by the Petitioner (Org. Claimant), the same shall be reimbursed by Respondent No.1.
- (c) Respondent No.1 shall further pay the property tax in respect of the property period for the commencing from April - 2018 to March - 2019 amounting to Rs.19,55,744/- or such other sum as may be demanded by the Municipal Corporation of Greater Mumbai, subject to the final decision of the Hon'ble Arbitrator in the Arbitration Proceedings.
- (d) The question of payment of property tax from April - 2016 to March - 2018 shall be subject to the final

decision by the Hon'ble Arbitrator in the Arbitration proceedings while passing the final award.

- (e) Insofar as the property taxes for the period after 2018 - 2019, Respondent No.1 shall continue to pay the property tax directly to the corporation without fail till they remain in possession of the suit property and/or up to the final outcome of the arbitration proceedings pending between the parties, whichever is earlier.

3 It is clarified that the findings recorded by the learned Arbitrator while deciding the application under Section 17 are only *prima facie* in nature and the learned Arbitrator shall finally decide all the issues between the parties by passing final award without being influenced by the interim order passed under Section 17 of the Act.

4 The Arbitration Petition is disposed of in the aforesaid terms. There shall be no order as to costs.

(B.P.COLABAWALLA, J.)