

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO. 1563 OF 2019

Victoria Tower Co-operative	}	
Housing Society (Proposed)	}	Petitioner
versus		
Municipal Corporation of Greater	}	
Mumbai and Ors.	}	Respondents

Mr.D.V.Sawant with Mr.Rajeev Sharma
I/b. Mr.Sushant Ghadage for the
petitioner.

Ms.Kejali Mastakar for respondent nos.1
and 2.

Ms.Naseem Patrawala for respondent
no.3.

Mr.S.B.Gore-AGP for respondent no.4.

CORAM :- S. C. DHARMADHIKARI &
G. S. PATEL, JJ.

DATED :- JUNE 12, 2019

P.C. :-

1. Section 217 of the Mumbai Municipal Corporation Act, 1888 is a complete remedy in the event one is disputing the levy, assessment and valuation of property tax. In the event the taxes are paid to the third respondent, then, all the more the remedy is not this writ petition. In any event, in the presence of plural remedies, this writ petition cannot be entertained. We cannot decide whether the property taxes have been rightly computed,

assessed, levied and recovered and secondly, we cannot decide whether the petitioner having remitted the share of property taxes in favour of the third respondent, it is required to pay the same. All such issues are factual and disputes in relation thereto have to be resolved before a competent civil court.

2. Once there are such remedies available, which are alternate and equally efficacious, then, this writ petition is not maintainable. It is dismissed on this ground alone. There would be no order as to costs.

(G.S.PATEL, J.)

(S.C.DHARMADHIKARI, J.)