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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.929 OF 2012

J.K. Investors Bombay Ltd. And Ors. ...Petitioners

vs

Brihanmumbai Mahanagarpalika And Ors. ...Respondents

.....

Mr. Chirag Kamdar, a/w. Mr. Suraj Juneja and Mr. Deepu Jojo, i/b. Wadia Ghandy & Co., for the Petitioners.

Ms. Yamuna Parekh, for the Respondents-MCGM.

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CORAM : S.C. GUPTE, J.

DATED: 6 MARCH, 2020

P.C. :

. This writ petition challenges various notices and complaints of the Respondent Municipal Corporation in the matter of assessment for property taxes in respect of premises belonging to the Petitioners. The Respondent Corporation has filed an affidavit in reply dated 18 January 2020 confirming that there are no property tax dues outstanding in respect of the subject premises, or which are covered by the notices /complaints challenged in the present writ petition, as of 31 March 2019. The affidavit also confirms that amounts paid by the Petitioners from time to time in accordance with the directions of this Court have been adjusted by Respondent No.1 Corporation and a No Due Certificate dated 2 August 2019 has been issued in that respect by the Corporation. The sum of Rs.2,11,73,120/-, referred to in the affidavit of the Municipal Corporation as the amount of property taxes due or outstanding for the

period between 1 April 2019 and till 31 March 2020, has also been duly paid by successors of the Petitioners, to whom the Petitioners have sold the subject property on 10 January 2019, to the Corporation. The Corporation has issued receipts for this payment. The receipts have been produced in Court and the Respondents confirm having received these amounts. It is, accordingly, clear that the Petitioners have duly paid all property taxes due upto 31 March 2020 and there is no outstanding on that account.

2. In these facts, the Petitioners pray for withdrawal of the petition. The petition is, accordingly, disposed of as withdrawn. No order as to costs.

Smita
Gonsalves

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Smita Gonsalves
Date: 2020.03.11
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(S.C. GUPTE, J.)