

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.5290 OF 2020

PRAKASH KAMLAKAR PATHAK
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr.S.V.Natu, Advocate for the petitioner.
Mr.S.B.Yawalkar, AGP for respondent No.1.
Mr.VD.Hon, Sr.Counsel h/f Mr.A.V.Hon, Advocate for respondent No.2.
Mr.H.V.Patil, Advocate for respondent Nos. 3 and 4.

(CORAM : RAVINDRA V. GHUGE &
S.G. MEHARE, JJ)

DATE : SEPTEMBER 22, 2021

PER COURT :

1. The learned Advocate for the petitioner and the learned Senior Counsel representing respondent No.2 submit that prayer clause "B" is rendered infructuous.

2. The petitioner has put forth prayer clause "C", which reads as under :-

"C. The respondent No.2 may kindly be directed to consider the resolution passed by the standing committee in meeting dated 18/02/2020 and determine the rates of municipal taxes as

contemplated u/s 127, 129 of Act, 1949 and Taxation Rules within a period of 2 months from the date of order by issuing writ of mandamus or any other appropriate writ in the nature of writ of mandamus;"

3. The learned Senior Advocate submits that this Court may grant 6 months time to enable the Municipal Corporation, Latur to implement the resolution dated 18/02/2020. The learned Advocate for the petitioner is agreeable for the said request. As such, the petition is worked out.

4. In view of the above, this petition is disposed off by recording the statement of respondent No.2. The resolution dated 18/02/2020 shall be brought into effect on or before 28/02/2022.

(S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)