

Bhogale

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.1367 OF 2021
IN
SECOND APPEAL NO.166 OF 2016**

Nandkishor Ramchandra Shouche .. Applicant

vs.

Prabhakar Balchandra Shouche

since deceased through L.Rs.

a) Manish Prabhakar Shouche & ors. .. Respondents

Ms. Avantika Inamdar I/b. Mr. R.N. Gite for the Applicant.

**CORAM : M.S.KARNIK, J.
DATE : JUNE 30, 2021
(THROUGH V.C.)**

P.C.

Heard learned counsel for the Applicant.

2. The Applicant has filed a Second Appeal which is pending. Interim relief has already been granted in terms of prayer clauses (a) and (b) in Civil Application No.2078 of 2015.

3. It is the contention of learned counsel for the Appellant that Applicant in this Application is not being allowed to pay the property tax by the Corporation on the premise that the Appeal is pending and stay has been granted by this Court.

4. I see no impediment in the Applicant paying property taxes and the Corporation accepting the property taxes demanded by

them despite grant of ad-interim relief by this Court. The Corporation is directed to accept the property taxes as demanded by them from the Applicant. This is without prejudice to the rights and contentions of the parties in the Second Appeal and the Civil Application No.2078 of 2015.

5. Interim Application is allowed and accordingly disposed of.
6. List the Second Appeal as per the CMIS date.

(M.S.KARNIK, J.)