

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9283 OF 2023

Prakash H. Gadiya	.. Petitioner
Vs.	
The State of Maharashtra and Anr.	.. Respondents

Mr. A.M. Saraogi for the Petitioner.

Mr. Y.D. Patil, AGP for Respondent No.1-State.

Mr. Sandeep D. Shinde for Respondent No.2-KDMC.

CORAM : SUNIL B. SHUKRE & RAJESH S. PATIL, JJ

DATE : 28TH JULY, 2023.

P.C. :

1. Heard learned counsel for the respective parties.
2. The grievance of the petitioner is that respondent no.2-Municipal Corporation has raised certain bills on account of levy of municipal taxes in a wrong manner in the sense that the area of the land considered for levy of the municipal taxes is, according to the petitioner, double the actual area of the land.
3. Learned counsel for the petitioner submits that in the past, similar mistake was committed by the Tax Department of respondent no.2-Municipal Corporation, but, the petitioner paid those bills. The learned counsel for the petitioner further submits that now there is a scheme called "Abhay Yojana", wherein certain concessions have been made available to the tax payers and being desirous of availing of those benefits, the petitioner had requested the

respondent no.2-Municipal Corporation to consider the case of the petitioner by taking into account the actual area of the land and also by adjusting the excess amounts paid by the petitioner.

4. The learned counsel for respondent no.2-Municipal Corporation submits that since the last date of the “Abhay Yojana” scheme is 31st July 2023, it would be appropriate for the petitioner to again approach the Assistant Officer of the respondent no.2-Municipal Corporation, sit with him during the course of the day today and work out the matter.

5. In view of the above, we find that this petition can be disposed of by passing following order :-

- (i) Petitioner may approach respondent no.2-Municipal Corporation during the course of the day today for finding out solution.
- (ii) We further direct that in case the petitioner approaches respondent no.2-Municipal Corporation during the course of the day, the respondent no.2-Municipal Corporation shall give patient hearing to the petitioner and make an attempt to work out the matter to the satisfaction of both sides.

6. Petition is disposed of in the above terms

7. Parties to act upon authenticated copy of this order.

[RAJESH S. PATIL, J.]

[SUNIL B. SHUKRE, J.]