

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.15490 OF 20 22

Milestone Space Thr. Partner .. Petitioner

v/s.

Kalyan Dombivali Municipal
Corporation Kalyan And Ors. .. Respondents

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Mr. Upendra Mahadik, i/b. Fast Track Legal, for the Petitioner.

Mr. Sandeep Shinde, APP, for Respondent State.

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CORAM : RAJESH S. PATIL, J.
(VACATION COURT)

DATE : 10 MAY 2023

P.C. :

Mr. Upendra Mahadik, i/b. Fast Track Legal, Advocates for the Petitioner, states that his client has deposited a sum of Rs.50,00,000/- on 23 January 2023. He further states that the balance amount of Rs.1,09,60,417/- still remains to be deposited. He states that his client requires a period of eight weeks to deposit the balance amount with the Kalyan Dombivali Municipal Corporation (KDMC), being the property tax dues.

2. The Counsel for KDMC, Mr. Sandeep Shinde, states that if

a reasonable time is granted for deposit of the balance amount, the Corporation would have no issues about it.

3. The Petitioner once deposits the balance amount, on advice, can file an appeal under Section 406 of the Maharashtra Municipal Corporation Act before the District Judge, Kalyan. The District Judge Kalyan will not insist on deposit of further amount, since the entire amount would have been then deposited.

4. The District Judge Kalyan would decide the appeal on its own merits. Since this Court has not decided the writ petition on merits, all contentions of parties are kept open. The District Judge, Kalyan should consider the appeal to be disposed of expeditiously.

5. Writ petition, accordingly, disposed of.

(RAJESH S. PATIL, J.)