

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.574 OF 2023

Wonder Cars Pvt. Ltd.

.. Petitioner

Vs.

Pimpri Chinchwad Municipal Corporation & Anr.

.. Respondents

- Mr. S.M. Gorwadkar, Sr.Adv. a/w. mr. Prataprao V. Patil for the Petitioner.
- Mr. Kedar Sighe for Respondent No.1-PCMC.
- Mr. A.A. Alaspurkar, AGP for Respondent No.2-State.

**CORAM : SUNIL B. SHUKRE &
M.W. CHANDWANI, JJ.**

DATE : 19TH JANUARY, 2023.

P.C. :

1. Heard learned counsel for the petitioner and learned counsel for Respondent No.1-PCMC.
2. It is submitted on behalf of the petitioner that one application dated 07.11.2022 has been filed by the petitioner before Respondent No.1-Corporation seeking reassessment of the property and refund of excess payment of property tax, in terms of the judgment and order dated 16.09.2022 passed by the Civil Judge, Senior Division, Pune in Municipal

Tax Appeal No.2/2014. He further submits that this application has not been decided by the respondent-Corporation till date.

3. Learned counsel for the respondents submits that an appeal against the judgment and order dated 16.09.202 has been filed by the Corporation u/s.411 of the Maharashtra Municipal Corporation Act, 1949 before the District Court, Pune and that appeal is pending. Learned counsel for the petitioner submits that in that appeal, no stay order has been passed.

4. Considering the above circumstances, we are of the view that it would be appropriate for the Corporation to take decision in accordance with law, on the application filed by the petitioner on 07.11.2022, a copy of which is filed on record of the petition at Page No.23.

5. Accordingly, we partly allow the petition. We, direct the Corporation to decide the application of the petitioner dated 07.11.2022 in accordance with law, as expeditiously as possible and preferably within a period of four weeks from the date of receipt of the writ of this Court.

6. Writ Petition is disposed of.

[M.W. CHANDWANI, J.]

[SUNIL B. SHUKRE, J.]