

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 963 OF 2020

Mumbai Metropolitan Region
Development Authority

... Petitioner

Versus

The Assistant Commissioner of Income
Tax (Exemption) Circle-2 and Ors.

... Respondents

YUGANDHARA
SHARAD
PATIL

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YUGANDHARA
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Mr. Madhur Agrawal i/b Mr. Atul K. Jasani for Petitioner.
Mr. Suresh Kumar for Respondents.

**CORAM: K.R.SHRIRAM &
M.M.SATHAYE JJ.**

DATE : 6th JUNE 2023

PC. :-

1. Mr. Agrawal, on instructions states that after the petition was filed, Commissioner of Income Tax (Appeals) has issued notice for hearing the main appeal and reply has also been filed by Petitioner. Mr. Agrawal states that since Petitioner is a statutory authority under the Metropolitan Region Development Authority Act, 1974 , Respondent No. 3, viz., CIT (Appeals), be directed to dispose the appeal within a fixed time. Mr. Agrawal also states that until then, stay granted on 20th March 2020 be continued.

2. Mr. Suresh Kumar leaves it to the discretion of Court.

3. Having considered the petition and since there is no reply filed and stay was granted on 20th March 2020, we would dispose the petition with following directions:-

- (a) Respondent No. 2/appropriate appellate authority shall dispose the appeal filed by Petitioner on or before 30th September 2023.
- (b) A personal hearing be given to Petitioner, notice whereof shall be given at least seven working days in advance.
- (c) The order to be passed shall be a reasoned order dealing with all submissions of Petitioner.
- (d) If Petitioner wishes to file written submissions, the same shall be filed within three working days of the personal hearing.

4. Petition disposed. No order as to costs.

5. We clarify that we have not gone into merits of the matter.

6. Stay granted on 20th March 2020 shall continue till disposal of the appeal.

[M.M.SATHAYE,J.]

[K.R.SHRIRAM, J.]