

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****WRIT PETITION NO.4672 OF 2024**

Mohid Heights Co-operative Housing Society Limited ... Petitioner

V/s.

The State of Maharashtra & Ors. ... Respondents

Ms. Neeta Jain a/w Mahesh Kukreja, Naina Jain & Salman Haider Khan i/by Mahesh Kukreja, for Petitioner.

Ms. Varsha Sawant, A.G.P. for Respondent, State.

Ms. R. M. Hajare i/b Komal Panjabi, for Respondent, BMC.

Mr. Devdas Gunde, Ward Inspector K/W Ward.

Ms. Hiral a/w Anil Jaryal i/by Legal Associates, for Respondent No.4.

Mr. Jagdish G. Aradwad (Reddy), for Respondent No.5, SRA.

**CORAM : A. S. GADKARI AND
KAMAL KHATA, JJ.**

DATE : 29th November 2024.

P.C. :

1) Petitioner is having statutory alternate remedy under Section 217 of the Mumbai Municipal Corporation Act before the Small Causes Court, Mumbai challenging the levy of property taxes and/or for adjudication of rateable value of their property. Petitioner is also having alternate remedy to enforce its contract against the Respondent No.4 before the Civil Court.

2) In view thereof, learned counsel for the Petitioner, on instructions, seeks leave to withdraw the Petition with liberty to avail

alternate remedy before the appropriate Court, as may be advised.

2.1) Leave and liberty granted.

3) Petition is disposed off as withdrawn with aforesaid liberty.

4) For a period of three weeks from today, Respondent No.1, Corporation is directed not to precipitate the action in furtherance of its Warrant of Attachment dated 24th June, 2024.

(KAMAL KHATA, J.)

(A.S. GADKARI, J.)