

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8832 OF 2025

Sayyed Zakir Hussien and Ors. ...Petitioners
Versus
Nashik Municipal Corporation
Through its Commissioner and Ors. ...Respondents

Mr. Satyajee P. Dighe, for the Petitioners.
Ms. Shridhar Patil for Respondent Nos.1 and 2 – Nashik Municipal Corporation.
Mr. Pralhad Paranjape, Rahul Punjabi, Tirtha Pawar, for the Respondent No.3.

CORAM : G. S. KULKARNI &
ARIF S. DOCTOR, JJ.

DATE : 2 JULY 2025

P.C.:

1. This writ petition under Article 226 of the Constitution of India is filed praying for the only substantive relief which reads thus:-

“(a) By appropriate writ, order or direction the Hon'ble Court may be pleased to quash and set aside notice dated 20/06/2025 bearing No. J.K.MK/KR./KS-1/14/2025 issued by the Nashik Municipal Corporation for auction u/s. 128 read with Schedule D, Chapter 8 (Property Tax Rules) (Rule 42, 45 and 47) for recovery of property tax issued by the Respondent Nos. 1 and 2.”

2. After this petition was heard for some time, the learned counsel for the petitioner seeks leave to withdraw this petition with liberty to the petitioners to raise all contentions in appropriate proceedings, if the petitioner feels aggrieved by the assessment of the property taxes. Allowed to be withdrawn with liberty as prayed for.

Digitally signed
by PALLAVI
MAHENDRA
WARGAONKAR
Date:
2025.07.03
15:23:32 +0530

3. However, considering the peculiar facts of the case and without the same being treated as a precedent, we permit the petitioner to deposit demand of tax from the petitioners within one month from today and till such period the auction aught not to be taken further. However, in the event such amount is not paid, the Municipal Corporation shall proceed to take further appropriate action as may be permissible in law.

4. Petition is disposed of. No costs.

[ARIF S. DOCTOR, J.]

[G. S. KULKARNI, J.]