



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

WRIT PETITION (L) NO. 15802 OF 2023

Keystone Realtors LimitedPetitioner
(formerly known as Keystone Realtors
Pvt. Limited)

Versus

Municipal Corporation of Greater MumbaiRespondents
& Ors.

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Dr.Milind Sathe a/w. Mr.Saket Mone, Mr.Abhishek Salian, i/b. Vidhii
Partners, Advocates for the Petitioner.

Ms.Pooja Yadav i/b. Mr.Sunil Sonawane, Advocate for the
Respondent-BMC.

Mr.Satish Surve, Deputy Superintendent/P-South, present.

Mr.Chandrabhushan V.Tripathi, Ward Inspector/P-South, present.

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**CORAM : SUNIL B. SHUKRE &
RAJESH S. PATIL, JJ.**

DATED : 06th JULY 2023

P.C. :

1 Heard Mr.Sathe, learned Senior for the Petitioner. His
contention is that as to whether or not the Petitioner is liable to pay
sewerage tax when no water connection till date has been provided to
the Petitioner.

2 Learned senior advocate appearing for Petitioner submits
that the Petitioner is not liable to pay the sewerage tax because it is
leviable only when water connection is provided. He further submits
that water connection is not being sanctioned to the Petitioner on the

Rajeshri Aher

ground that the Petitioner has not paid all taxes, but, the reality is that the Petitioner has paid all taxes in terms of the orders passed by the High Court and also the Apex Court.

3 Issue notice for final disposal at stage to Respondents, returnable on 27th July, 2023.

4 Learned counsel waives service for Respondent Nos.1, 2 and 3.

5 Meanwhile, we direct that there is no coercive action taken against the Petitioner with regard to demand of sewerage tax, till next date.

6 We also direct Corporation to process the application of the Petitioner for providing of the permanent water connection in accordance with law, without taking into consideration the factum of non payment of sewerage tax, and, take the decision in accordance with law. For this purpose, we direct that the Corporation shall give personal hearing to the Petitioner. Petitioner shall remain present before the Hydraulic Engineer of Respondent No.1 on 17th July 2023 at 11:30 a.m.

7 Stand over to 27th July, 2023.

(RAJESH S. PATIL, J.)

(SUNIL B. SHUKRE, J.)

Rajeshri Aher