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

WRIT PETITION NO.1697 OF 2017

Prabhavati Hindo and Ors.

.. Petitioners

Versus

State of Maharashtra and Ors.

.. Respondents

Mr. Bharat R. Zaveri, Advocate for the Petitioners.

Ms. Jyoti Chavan, Additional GP for Respondent/State.

CORAM: SUMAN SHYAM &

FIRDOSH P. POONIWALLA, JJ.

DATE: 6th MAY, 2026

P. C.

1. The four Writ Petitioners herein were operating retail stalls in the Municipal Retail Market situated at Pali Market, Bandra West which has gone into re-development.

2. Being aggrieved by the Notices dated 18th May 2017 and 29th June 2017 issued by Respondent Nos.3 seeking to recover stallage charges from the Petitioners, the instant Writ Petition has been filed *inter alia* contending that no such charge was payable by the Petitioners based on the impugned Notices.

3. During the pendency of the Writ Petition, there has been some change in the Policy leading to a policy decision taken by the Respondent



Nos.2, according to which the retail occupants who have not availed the transit camp in the Municipal premises during the period of redevelopment would not be liable for payment of any stallage charge or any other penalty or GST. The said fact has been brought on record by Respondent No.3 by filing a reply. The sum and substance of the statement made in paragraph 3 of the Reply is that in view of the policy decision taken by the Respondent No. 2 in terms of Exhibit-I, the Petitioners and other related occupants, who have not availed the transit camp in the municipal premises during the period of redevelopment projects in Mumbai are not liable for payment of any stallage charges and/or penalty and/or the GST.

4. In view of the aforesaid policy decision of Respondent No.2, the Petitioner's counsel submits that the Writ Petition has been worked out and therefore deserves to be allowed by this Court. The said prayer is not opposed by the learned counsel for the Respondent.

5. In view of the above Writ Petition is disposed of by quashing the impugned demand Notices dated 18th May 2017 and 29th June 2017.

(FIRDOSH P. POONIWALLA, J.)

(SUMAN SHYAM, J.)