

S U P R E M E C O U R T O F I N D I A

RECORD OF PROCEEDINGS

CIVIL APPEAL NO.3381 OF 2001

BHAGWANDAS SHANTILAL MALVI
(s)

Appellant (

VERSUS

MUNICIPAL CORPORATION OF GREATER BOMBAY
(s)

Respondent

Date: 06/09/2006 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHAN

HON'BLE MR. JUSTICE MARKANDEY KATJU

For Appellant(s)

Mr. Siddhartha Chowdhury, Adv.

For Respondent(s)

Mr. Pallav Shishodia, Adv.

Mr. D.N. Mishra, Adv.

For State of
Maharashtra

Mr. S.S. Shinde, Adv. for

Mr. Mukesh K. Giri, Adv.

UPON hearing counsel the Court made the following

O R D E R

The Appeal is allowed in terms of the signed order.

(Parveen Kr. Chawla)

(Kanwal Singh)

Court Master

Court Master

[Signed Order is placed on the File]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 3381 OF 2001

Bhagwandas Shantilal Malvi

..Appellant

Versus

Municipal Corporation of Greater Bombay

..Respondent

O R D E R

Counsel for the respondent has very fairly pointed out that the point in issue is concluded against it by a judgment of this Court in

Municipal Corporation of Greater Mumbai & Another vs. Kamla Mills Ltd.

reported in (2003) 6 SCC 315.

In view of this, this appeal is allowed; impugned order is set aside and the case is remitted back to the assessing authority to hear and decide the ratable value in accordance with law keeping in view the law laid down by this Court in the aforementioned judgment. There shall be no order as

to costs.

.....J.

[ASHOK BHAN]

NEW DELHI;

.....J.

SEPTEMBER 06, 2006. [MARKANDEY KATJU]