

ITEM NO.107

COURT NO.4

SECTION IX

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

Civil Appeal No(s). 7318/2010

SMALL SCALE ENTREPRENEURS ASSOCIATION & ORS.

Appellant(s)

VERSUS

THE STATE OF MAHARASHTRA & ORS.

Respondent(s)

WITH

S.L.P. (C) ...CC No. 15705/2010 (IX)

C.A. No. 7319/2010 (IX)

C.A. No. 11024/2013 (III)

C.A. No. 10133-10137/2016 (III)

C.A. No. 1537-1542/2017 (III)

IA No. 28674/2018 - AMENDED APPLI. FOR DIRECTIONS AGAINST THE APPELLANTS AND ITS MEMBERS ON BEHALF OF THE RESPONDENT NO7  
IA No. 72912/2017 - APPROPRIATE ORDERS/DIRECTIONS  
IA No. 35644/2018 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 19-04-2023 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.R. SHAH  
HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Appellant(s) Mr. Amol Chitale, Adv.  
Mrs. Pragya Baghel, AOR

Mr. Jatin Zaveri, AOR

Mr. Parag Tripathi, Sr. Adv.  
Mr. Gopal Sankaranarayanan, Sr. Adv.  
Mr. Sanjeev Kapoor, Adv.  
Mr. Snehal Kakrania, Adv.  
Mr. Rohit Ghosh, Adv.  
Ms. Moha Paranjpe, Adv.  
For M/s. Khaitan & Co., AOR

For Respondent(s) Mr. Shekhar Naphade, Sr. Adv.  
Mr. Vinay Navare, Sr. Adv.  
Mr. Suhas Kadam, Adv.

Signature Not Verified

Digitally signed by R  
Natarajan  
DN: cn=R Natarajan, o=

Reason: 19-04-2023

Mr. Suhaskumar Kadam, Adv.  
Mr. Prashant Kumar, Adv.  
For M/s. Black & White Solicitors, AOR

Mr. Omkar Deshpande, Adv.  
Mr. Siddharth Dharmadhikari, Adv.  
Mr. Aaditya Aniruddha Pande, AOR  
Mr. Bharat Bagla, Adv.  
Mr. Sourav Singh, Adv.

Mr. Soumik Ghosal, AOR

Mr. Debmalya Chandra Banerjee, Adv.  
Mr. Kartik Bhatnagar, Adv.  
Mr. Rohan Sharma, Adv.  
Mr. Nicholas Choudhury, Adv.  
Mr. Anmol, Adv.  
Mr. Shreesh Chadha, Adv.  
M/S. Karanjawala & Co., AOR

Mr. Amar Dave, Adv.  
Mr. P. S. Sudheer, AOR  
Mr. Rishi Maheshwari, Adv.  
Ms. Anne Mathew, Adv.  
Mr. Bharat Sood, Adv.  
Ms. Shruti Jose, Adv.

Mr. P.V. Dinesh, Adv.  
Mr. Akhil K.M., Adv.  
Ms. Nida K., Adv.  
Mr. P.S. Sudheer, AOR

UPON hearing the counsel the Court made the following  
O R D E R

Shri Shekhar Naphade and Shri Vinay Navare, learned Senior Advocates, appearing on behalf of Respondent No.6-Navi Mumbai Municipal Corporation have made a strong grievance that, despite the adverse order passed by the High Court and even thereafter, no stay has been granted by this Hon'ble Court mainly all the members of the petitioner-Association have not paid the property tax for a number of years. Therefore, it is prayed that the petitioners/appellants may not be heard until the amount of property tax is paid. The list of those persons who have not paid

the property tax has been stated in the application for additional documents filed on 17.04.2023.

Learned Senior Advocates appearing on behalf of the petitioner-Association and even the private persons pray for time to get the instruction.

Adjourned to 02.08.2023.

It is observed that, if any person(s) has/have not paid the property tax despite the stay refused by this Court and no interim relief in their favour, it will be open for the Corporation to take recourse to law and even seal the premises and recover the amount of property tax. It is also submitted on behalf of the Corporation that as the members of the petitioner-Association have not paid the property tax since many years and despite they having lost before the High Court and this Court refused the stay and therefore the petitioners may not be heard shall be considered on the next date of hearing.

(R. NATARAJAN)  
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)  
ASSISTANT REGISTRAR