

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CIVIL JURISDICTION***

WRIT PETITION NO.4524 OF 2015

M/s Vihari Jewels & anr...

.. Petitioners

vs

Union of India & ors

.. Respondent

Mr.Vikram Nankani Senior Counsel with
Mr.Sanjay Agarwal i/b M/s Prompt Legal
Advocate for the Petitioners

Mr.Pradeep S.Jetley Advocate for the Respondents nos.
1 to 4

Mr.Sushant Murthy i/b M/s Economic Laws Practice
Advocate for Respondent no.5

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***CORAM: S.C.DHARMADHIKARI &
G.S.KULKARNI, JJ***
DATED 15th JUNE, 2015

PC.

1. Our order passed today in writ petition No.3008 of 2014 and granting leave to withdraw the writ petition shall govern this writ petition as well. In so far as the show cause notice dated 27 January 2014 is concerned, we record the statement of Mr.Nankani learned senior counsel appearing for petitioners and that the petitioners in this writ petition as well will approach the Settlement Commission. That is restricted to the

show cause notice dated 27 January 2014 Annexure D paper book from page 48 to 55.

2. In so far as the show cause notice for the year 2013-14 dated 13 January 2015 Annexure E page 56 is concerned, the petitioners after withdrawing this writ petition would raise all contentions including of jurisdiction which is forming part of the grounds of this writ petition before the adjudicating authority. We record this statement as well and allow withdrawal of the writ petition. We also clarify that issues of jurisdiction both of the Settlement Commission and the adjudicating authority are kept open.

G.S.KULKARNI, J.

S.C.DHARMADHIKARI, J.