

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

**WRIT PETITION NO. 11180 OF 2014**

1. M/s. Fuel Instruments & Engineers Pvt.  
Ltd. & Anr. ... Petitioners

Vs

1. The State of Maharashtra & Ors. ... Respondents

Mr. V. Sreedharan, senior counsel with Mr. C.B Thakar, Mr. Puneeth Ganapathy and Mr. Mukund M. Vaidya for the Petitioners.

Mrs. Gauri Rao, AGP, for the Respondents - State.

**CORAM : S.C. DHARMADHIKARI &  
S.P. DESHMUKH, JJ.**

**TUESDAY, 17TH FEBRUARY, 2015**

**P.C. :**

1. After the matter was argued for sometime, Mr. Sreedharan, learned senior counsel, on instructions, states that the petitioner will not press this writ petition and withdraw it, but this Court may consider granting further time to comply with the condition of part-payment of Rs.40,00,000/- on which stay has been granted by the First Appellate Authority.

2. The request made is reasonable. We dispose of the writ petition as withdrawn, but grant the petitioners six weeks' time from today to comply with the condition of part-payment of Rs.40,00,000/-. If that condition is complied and compliance reported, the First Appellate Authority to decide the appeal on merits and in accordance with law, uninfluenced by any tentative and *prima facie* findings. We keep all contentions of both sides and especially of the petitioner on the jurisdiction and competence of the authority under MVAT Act to initiate and complete the assessment.

**S.P. DESHMUKH, J.**

**S.C. DHARMADHIKARI, J.**