

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

WRIT PETITION (L) NO.3495 OF 2015

Mphasis Limited and another

Petitioners

versus

State of Maharashtra and others

Respondents

Dr.Milind Sathe, Senior Advocate, with Mr.Tapan Deshpande,
Mr.Jay Sanklecha i/by Cyril Amarchand Mangaldas for Petitioners.
Mr.N.P.Pandit, AGP, for State.
Mr.S.Kale, Law Officer, CCRA, Pune, present.

CORAM : S.C.DHARMADHIKARI AND
B.P.COLABAWALLA, JJ.

DATE : 17 December 2015

PC :

When this petition was called out, the learned counsel for the Petitioners states that the impugned demand notice is a coercive action which frustrates the right of appeal vested in the Petitioners under the Bombay Stamp Act, 1958. We called upon learned AGP Mr.Pandit to take instructions.

2. On instructions, Mr.Pandit informs that it is correct that the Chief Controlling Revenue Authority and Inspector General of Registration and Controller of Stamps, Maharashtra State, Respondent no.3, is seized of an appeal preferred by the Petitioners. That challenges an order passed by the second Respondent to this petition. Equally, there is an application for

stay made in the said appeal and that is scheduled for hearing on 5 January 2016.

3. Mr.Pandit on further instructions of Mr.Sunil Kale, Law Officer of CCRA, Pune assures the Court that till 18 January 2016, the Respondents will not take any coercive steps or act in furtherance of the impugned demand notice so as to enable the Petitioners to prosecute and proceed with the stay application.

4. In terms of these assurances and undertakings given to the Court that no coercive steps would be taken pending consideration of the stay application, we are of the view that the writ petition need not be entertained. The Petitioners shall appear before the third Respondent and argue the stay application on the scheduled date and time. That authority shall endeavour to hear and decide the stay application within the stated time. All contentions of the parties are kept open.

5. With the above observations, the petition stands disposed of. No order as to costs.

(S.C.DHARMADHIKARI, J.)

(B.P.COLABAWALLA, J.)