

*Shephali*

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
WRIT PETITION NO. 11314 OF 2014**

|                                |                |
|--------------------------------|----------------|
| UBS Securities India Pvt. Ltd. | ...Petitioners |
| <i>Versus</i>                  |                |
| The Union of India & Ors.      | ...Respondents |

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**Mr. Vipin Kumar Jain**, *a/w Mr. P. K. Shetty, i/b Mihir Deshmukh,*  
*for the Petitioners.*

**Mr. A.J. Rana, Senior Advocate**, *a/w Mr. Jaydeep Deo and Mr.*  
*Rupesh Karande, for the Respondents.*

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**CORAM: S.C. DHARMADHIKARI &  
G.S. PATEL, JJ.**

**DATED: 22nd February 2016**

**PC:-**

1. This Petition under Article 226 of the Constitution of India seeks the following relief:

“(a) that this Hon'ble Court be pleased to issue writ of Certiorari or any other Writ, order or direction under Article 226 of the Constitution of India calling for the records pertaining to the Petitioner case and after going into the legality and validity thereof quash and set aside the demand notices dated 01 January 2014, 27 February 2014, 07 April 2014

and also quash and set aside the Refusal Order dated 18 July 2014 passed by Respondent No. 3 and the Show Cause Notice dated 26 September 2014 issued by the Respondent No. 4."

2. After it was argued for some time and an Affidavit in Reply tendered by Mr. Rana, learned senior counsel appearing for the Respondents was taken on record, it is stated that the issue involved in this Petition stands covered by paragraph 41 of the detailed Judgment delivered by a bench of this Court in Writ Petition No. 33 of 2015 and connected matters decided on 17th August 2015.

3. In the light of this concession and agreement between both sides applying paragraph 41 of this Judgment, we allow the Writ Petition. The benefit in terms of paragraph 41 shall also be extended to the present Petitioners.

4. The Writ Petition is allowed accordingly. There will be no order as to costs.

**(G. S. PATEL, J.)**

**(S. C. DHARMADHIKARI, J.)**