

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

Writ Petition NO. 4874 OF 2016

AGS Transact Technologies Ltd.

...Petitioner

Versus

The Union Of India And Anr.

...Respondents

*Mr.Prakash Shah with Mr.Prasad Paranjpe & Mr.Jas Sanghavi i/b. PDS
Legal, for the Petitioner.*

Ms.P.S.Cardozo, for Respondent No.2.

**CORAM : S.V. GANGAPURWALA &
G.S. KULKARNI, JJ.**

DATE: 5th JUNE, 2017

PER COURT:

1. The petitioner assails two show cause notices dated 19 March 2015 and 2 February 2016.
2. Mr.Shah, learned Counsel for the Petitioner canvassed submissions on merit. We are not inclined to consider the said submissions on merit. This Court certainly would be loath in entertaining the petition challenging the show cause notice unless it is shown that the show cause notice is issued without jurisdiction or on similar ground.

3. The petitioner is at liberty to file reply and the respondents are duty bound to adjudicate upon the said notice.

4. One of the apprehensions expressed by the learned Counsel for the petitioner is that the respondents are not adjudicating the said show cause notices and is issuing subsequent show cause notice. It is submitted that the petitioner has already filed a reply to the impugned show cause notice dated 19 March 2015. The petitioner is at liberty to file reply to the another show cause notice dated 2 February 2016. On receipt of the reply, the respondents shall adjudicate the said notice expeditiously, in accordance with law and procedure, preferably within three months. The petitioner undertakes to file a reply to the show cause notice dated 2 February 2106 within four weeks.

5. Writ petition is accordingly disposed of with the aforesaid observations. All contentions of the respective parties are kept open.

(G.S.KULKARNI, J.)

(S.V. GANGAPURWALA, J.)