

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

WRIT PETITION NO.6359 OF 2017

Volkswagen India Pvt. Ltd.

...Petitioner

Versus

The Union of India & Ors.

...Respondents

.....

Mr. Prakash Sha with Mr. Arun Jain i/b. M/s. PDS Legal for
the Petitioner.

Ms P. S. Cardoza for the Respondent Nos.2 and 3.

CORAM : ANOOP V. MOHTA AND

SMT. ANUJA PRABHUDESSAI, JJ.

DATED : 17th JULY, 2017.

FINAL ORDER:-

On hearing the parties, we are inclined to dispose of the present writ petition finally as admittedly the notices were issued by the Respondents and received by the Petitioner on 3.4.2017 whereas the order rejecting the application of Petitioner for refund itself was passed on 31.3.2017. Initially also the hearing was scheduled on 29.3.2017 the notice was issued by the Respondent on 24.3.2017. However, the same was posted on 27.3.2017. All in all, all the applications rejected by the Respondents giving an opportunity of hearing to the Petitioner, which essentially in passing such orders. This

undisputed position on record in our view sufficient to interfere with the orders so passed with liberty to Respondents to issue fresh notice for hearing and pass orders by following due procedure of law. The Petition therefore, allowed in terms of prayer clause (a) only on this ground.

2. It is made clear that we have not touched the merits of the matter.

3. The Petition is disposed of accordingly. No costs.

(ANUJA PRABHUDESSAI, J.)

(ANOOP V. MOHTA, J.)