

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

WRIT PETITION NO. 1534 OF 2017

Rashtriya Chemicals & Fertilizers Ltd.
& Anr.

.. Petitioners

v/s.

Union of India & Ors.

.. Respondent

Mr. Darius Shroff, Senior Counsel a/w Mr. Rushabh M. Sheth, Ms. Neha
M. Shah I/b M.S. Bodhanwalla & Co. for the petitioners
Mr. Pradeep S. Jetly for respondent no.6
Mr. Chandrakant Chawan for respondent nos. 1 to 4

**CORAM : AKIL KURESHI &
M.S. SANKLECHA, J.J.**

DATED : 29th NOVEMBER, 2018.

P.C.

1. This petition has already been admitted under order dated 18th September, 2017. Ad-interim relief was granted staying further proceedings pending before the Customs, Excise and Service Tax Appellate Tribunal ("the Tribunal" for short).

2. A praecipe has been moved before us on behalf of the petitioners pointing out that before and after filing of the writ petition, certain developments have taken place and the Government of India has issued certain documents, which would substantially resolve the controversy in

favour of the petitioners. The requests of the petitioners are, therefore, that these documents be allowed to be produced before the Tribunal and the Tribunal may be requested to proceed further with the pending appeal.

3. Leave is granted to the petitioners to produce the documents before the Tribunal along with application. The Tribunal may thereafter proceed further with the pending appeal in accordance with law. We are sure if the documents and the materials which petitioners wish to produce before the Tribunal are in the nature of developments which are relevant to the issues arising in the appeal before the Tribunal, the Tribunal would examine the same, of course, after giving an opportunity to the respondents to meet with such materials.

4. With these observations, the petition is disposed of. Interim relief granted earlier stands vacated.

(M.S. SANKLECHA, J.)

(AKIL KURESHI, J.)