

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

WRIT PETITION NO.387 OF 2019

Aviation Management Sales LLC, U.S.A.	 Petitioner
V/s.	
Directorate General of Civil Aviation, New Delhi and Ors.	 Respondents

ALONG WITH

WRIT PETITION NO.3013 OF 2014

Mumbai International Airport Pvt. Ltd., Mumbai	 Petitioner
V/s.	
Commissioner of Service Tax, Office of Commissioner of Service Tax-I, Mumbai and Ors.	 Respondents

ALONG WITH

NOTICE OF MOTION NO.146 OF 2017

WITH

NOTICE OF MOTION NO.129 OF 2017

WITH

NOTICE OF MOTION (LODGING) NO.670 OF 2015

IN

WRIT PETITION NO.3013 OF 2014

Commissioner of Service Tax-V, Mumbai	 Applicant
<i>In the matter between</i>	
Mumbai International Airport Pvt. Ltd., Mumbai	 Petitioner
V/s.	
Commissioner of Service Tax, Office of Commissioner of Service Tax-I, Mumbai and Ors.	 Respondents

ALONG WITH

CHAMBER SUMMONS NO.102 OF 2017

IN

WRIT PETITION NO.3013 OF 2014

SpiceJet Limited, Gurgaon, Haryana	 Applicant
<i>In the matter between</i>	
Mumbai International Airport Pvt. Ltd., Mumbai	 Petitioner

V/s.
Commissioner of Service Tax,
Office of Commissioner of Service Tax-I,
Mumbai and Ors. Respondents

ALONG WITH
NOTICE OF MOTION NO.147 OF 2016
WITH
NOTICE OF MOTION NO.74 OF 2017
IN
WRIT PETITION NO.3013 OF 2014

C.J. Leasing (Cayman) Ltd., Cayman Islands Applicant
In the matter between

Mumbai International Airport Pvt. Ltd., Mumbai Petitioner
V/s.

Commissioner of Service Tax,
Office of Commissioner of Service Tax-I,
Mumbai and Ors. Respondents

ALONG WITH
NOTICE OF MOTION NO.233 OF 2017
IN
NOTICE OF MOTION NO.129 OF 2017
IN
WRIT PETITION NO.3013 OF 2014

SGI Commex Ltd., Mumbai Applicant
In the matter between

Mumbai International Airport Pvt. Ltd., Mumbai Petitioner
V/s.

The Commissioner of Service Tax-V,
Commissionerate, Mumbai and Ors. Respondents

ALONG WITH
WRIT PETITION NO.1673 OF 2015

C.J. Leasing (Cayman) Ltd., Cayman Islands & Anr.... Petitioners
V/s.

Commissioner of Service Tax,
Office of Commissioner of Service Tax-I,
Mumbai and Ors. Respondents

Mr. Sharan Jagtiani, a/w. Mr. Priyank Kapadia and Ms. Mahafirin Mehta, I/by M/s. M. Mulla Associates, for the Petitioner in WP/387/2019.

Mr. Raghav Gupta, a/w. Ms. Ankita Sangwan, I/by M/s. Wadia Ghandy and Co., for the Petitioner in WP/3013/2014; for Respondent No.5 in WP/387/2019; and for Respondent No.4 in WP/1673/2015.

Mr. Nikhil Sakhardande, a/w. Mr. Aditya Mehta and Ms. Apoorva Gupta, I/by M/s. ABZ and Partners, for the Petitioner in WP/1673/2015; for Respondent Nos.6 and 7 in WP/387/2019; and for Respondent No.3 in WP/3013/2014.

Mr. R.S. Apte, Senior Advocate, with Mr. N.R. Bubna, for Respondent No.1 in WP/387/2019.

Mr. M. Dwivedi, with Mr. J.B. Mishra, for Respondent Nos.2 and 3 in WP/387/2019.

Mr. Pradeep S. Jetly, a/w. Mr. M. Dwivedi and Mr. J.B. Mishra, for Respondent No.1 in WP/3010/2014 and for Respondent No.2 in WP/1673/2015.

Mr. Shashwat Rai, I/by M/s. Keystone Partners, for Respondent No.4 in WP/387/2019 and for Respondent No.2 in WP/3013/2014.

**CORAM : S. C. DHARMADHIKARI &
M. S. KARNIK, JJ.**

DATE : 5TH MARCH, 2019.

P.C. :

1. After having passed detailed orders on earlier occasions, the Petitioner's counsel says that grievance in Writ Petition No.387 of 2019 has been redressed. He has been instructed to seek leave to withdraw Writ Petition No.387 of 2019. In terms of the statement made, Writ Petition No.387 of 2019 is allowed to be withdrawn and stands disposed off accordingly.

2. In view of the orders passed on earlier occasions and the grievance of these Petitioners also having been satisfied, Writ Petition No.3013 of 2014 also stands disposed off.

3. As far as Writ Petition No.1673 of 2015 is concerned, after the sale proceeds are realized and they are deposited now in the Competent Court, namely, the Court which has wound-up M/s. Kingfisher Airlines and particularly the Official Liquidator attached with the High Court of Karnataka, this Writ Petition is also disposed off, with liberty to the Petitioner to adopt appropriate proceedings either before the High Court of Karnataka or in any other appropriate Court.

4. All contentions in relation to all such issues, as are covered in these Petitions, other than dealt with specifically by us, are kept open.

5. In the light of the orders passed on the Writ Petitions, all Notices of Motion do not survive and are disposed off.

[M.S.KARNIK, J.]

[S.C. DHARMADHIKARI, J.]