

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 741 OF 2022

**Prolific Systems and Technologies
Pvt.Ltd. & Ors.**

..... Petitioners

VERSUS

Union of India & Ors.

..... Respondents

Mr.Abhishek A.Rastogi, a/w. Pratyushprava Saha, Mahir Chablani and
Ms.Kanika Sharma, i/b. Khaitan & Co. for the Petitioners.

Mr.P.S.Jetly, Senior Advocate, a/w. Mr.J.B.Mishra, Mr.Ram Ochani for
the Respondent nos. 1 to 3.

**CORAM : R.D. DHANUKA &
S.M.MODAK, JJ.**

DATE : 21ST FEBRUARY, 2022.

P.C:-

Mr.Rastogi, learned counsel for the petitioners states that the
application for cancellation of bail granted to the petitioner nos. 2, 3
and 4 vide order dated 9th December, 2020 by the learned Additional
Chief Metropolitan Magistrate below Bail Application
No.222/BA/2020 in R.A.NO. 201/2020 is being heard.

2. Mr.Mishra, learned counsel for the respondents invited our
attention to the application filed by the petitioners before the learned

Additional Chief Metropolitan Magistrate and would submit that the petitioners themselves have volunteered and have agreed to pay the total amount of Rs.7.84 towards GST liability in installments as setout in paragraph (2) of the said application. He submits that the petitioners have also given assurance to the Court of learned Additional Chief Metropolitan Magistrate that the petitioners will not commit any default in payment as per the said schedule and if any default is committed, the Court of learned Additional Chief Metropolitan Magistrate can cancel the bail granted to the petitioners.

3. Learned counsel invited our attention to the application filed by the petitioners for waiver of condition 'not to leave India without permission of the Court' and for return of passport in Case No. 201/RA/2020 before the Court of learned Additional Chief Metropolitan Magistrate. He invited our attention to the paragraph (2) of the said application in which the petitioners herein have given an undertaking that they will deposit the GST amount. It is averred that the petitioners have given an undertaking that they will deposit GST amount of Rs.7.84 in installments and they had shown their bonafides by paying Rs.3 crores while seeking directions to return their passport

permanently.

4. Mr.Rastogi, learned counsel for the petitioners seeks liberty to withdraw this writ petition with liberty to file fresh petition as and when occasion arises.

5. Writ petition is dismissed as withdrawn with liberty as prayed.
No order as to costs.

[S.M.MODAK, J.]

[R.D.DHANUKA, J.]