

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Writ Petition No. 1606 of 2022

[M/s. Sai Krupa Project Pvt. Ltd. Through its Director Sau Rupali Sunil Katkade ..vs.. Union of India
through the Commissioner of GST & Central Excise Nagpur Commissionerate, Nagpur and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. M. Y. Wadodkar, Advocate for the petitioner
Mr. N. S. Deshpande, ASGI for respondents 1 and 3
Mr. S. N. Bhattad, Advocate for respondent 2

CORAM : ROHIT B. DEO, J.

DATED : 21-4-2022

The grievance of the petitioner is that the appeal preferred under Section 85 of the Finance Act, 1994, which was accompanied by an application for condonation of delay was not accepted by respondent 3 without assigning any reason.

2. While learned counsel for the contesting respondent, Mr. Bhattad states that the appeal is not tenable, on the basis of instructions received, Mr. Bhattad states that the petitioner shall be permitted to file appeal which then shall be decided in accordance with law.

3. Needless to observe that all contentions including the contention that the appeal is not tenable and that the appeal is time barred are kept expressly open. The petition is disposed of.

JUDGE

Digitally signed by AVINASH
YUVRAJ WASNIK
Signing Date: 21.04.2022 18:14