Santosh

# IN THE HIGH COURT OF BOMBAY AT GOA

## WRIT PETITION NO.672 OF 2023

PFIZER LIMITED ... PETITIONER

Versus

THE STATE OF GOA THR. THE GOVERNMENT OF GOA THR. CHIEF SECRETARY AND 2 ORS ... RESPONDENTS

Mr S. Bhave with Mr Hanumant D. Naik and Mr A.D. Naik, Advocates for the Petitioner.
Mr D.J. Pangam, Advocate General with Mr Prashil Arolkar, Addl. Govt. Advocate for the Respondents.

**CORAM:- M. S. SONAK &**
**VALMIKI SA MENEZES, JJ.**

**DATED :- 5th December, 2023**

P.C.:

1. Heard Mr Bhave, who appears along with Mr H.D. Naik for the Petitioner. Learned Advocate General appears along with Mr Prashil Arolkar, Addl. Govt. Advocate for the Respondents.

2. The learned Advocate General points out that the Petitioner has an alternate and efficacious remedy of an appeal under Section 36 of The Goa Value Added Tax Act, 2005 (said Act) before the Goa Administrative Tribunal. Accordingly, Mr Bhave, based on instructions, seeks leave to withdraw this Petition with liberty to institute an appeal before the Tribunal. Mr Bhave states that such an

appeal will be instituted within four weeks from today.

3. If the appeal is indeed instituted within four weeks from today, then, the Tribunal should consider that this Petition was instituted on 28/4/2023 and the same was pending till date in this Court. The learned Advocate General points out that even if the appeal is filed within four weeks from today, the same would be within the condonable limits prescribed under the said Act.

4. Accordingly, leave is granted to withdraw this Petition with liberty to institute an appeal before the Tribunal.

5. This Petition is disposed of as withdrawn with liberty as above. All contentions of all parties are left open.

6. All concerned to act on an authenticated copy of this order.

**VALMIKI SA MENEZES, J.** **M. S. SONAK, J.**

SANTOSH S MHAMAL Digitally signed by SANTOSH S MHAMAL Date: 2023.12.05 19:36:00 +05'30'