

P. V. Rane

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 30718 OF 2022

IN

WRIT PETITION NO. 1411 OF 2022

M/s. Arvind Brothers

..Petitioner

Vs.

The Addl. Joint Commissioner (Anti
Evasion) CGST and Central Excise & Ors.

..Respondents

Ms. Sonali Jain, for the Applicant.

Ms. Shruti D. Vyas, 'B' Panel Counsel for the State-Respondent Nos.1 & 2.

Mr.Sandesh Patil with Mr.Chintan Y. Shah, for Respondent No.3.

**CORAM : G. S. KULKARNI &
JITENDRA JAIN, JJ.**

DATE : SEPTEMBER 12, 2023.

P.C.:

1. By this application, the applicant - petitioner prays for restoration of the Writ Petition which came to be dismissed for non prosecution by an order dated 11 November 2022 passed by a co-ordinate Bench of this Court.

2. We have heard Ms.Jain, learned Counsel for the applicant-petitioner, Ms.Vyas, learned Counsel for respondent Nos.1 and 2 and Mr.Patil, learned Counsel for respondent No.3.

3. Having perused the averments in the interim application, we are of

the opinion that in the interest of justice, the application is required to be allowed and the writ petition be restored to the file of this Court. Accordingly, Interim Application is allowed in terms of prayer clause (a). There is also a prayer in the interim application being prayer clause (b) for a temporary protection. Learned Counsel for the applicant/petitioner has prayed for continuation of the protection granted by the co-ordinate Bench of this Court by an order dated 17 January 2022. Since we have allowed the Interim Application in terms of prayer clause (a) restoring the writ petition to the file of this Court, the protection granted by this Court by an order dated 17 January 2022 shall continue to operate till the adjourned date of hearing.

4. List this petition 'for Admission' on 3 October 2023. High On Board.

[JITENDRA JAIN, J.]

[G. S. KULKARNI, J.]