



sg

3.wp2285-23.doc

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2285 OF 2023

WITH

INTERIM APPLICATION (L) NO.22095 OF 2023

IN

WRIT PETITION NO.2285 OF 2023

(E-filed)

The Hong Kong And Shanghai

Banking Corporation Limited

.. Petitioner

v/s.

Union of India

.. Respondent

....

Mr. Abhishek A. Rastogi, a/w. Mr. Pratyushprava Saha, i/b. Khaitan & Co., for the Petitioner/Applicant.

Mr. M.P. Sharma, a/w. Ms. Mamta Omle, for Respondent Nos. 1, 2 and 4.

....

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

DATE : 18th AUGUST, 2023

P.C:-

Mr. Rastogi, learned Counsel for the Petitioner, has stated that during the pendency of this petition, the Assistant Commissioner, CGST has passed an Order-In-Original (O-I-O) dated 19th June 2023, rejecting the refund application as not maintainable. He states that the

Petitioner intends to assail this O-I-O by filing a petition. For such reason, liberty be granted to the Petitioner to withdraw this petition and file a fresh petition.

2. In the above circumstances, we permit the Petitioner to withdraw the present petition with liberty to file a fresh petition. All contentions of the Petitioner, including prayer clause (b), as made in the petition, are expressly kept open.

3. Petition disposed of as withdrawn. No costs.

4. As the petition itself stands disposed of, the interim application does not survive and the same is disposed of.

(JITENDRA JAIN, J.)

(G.S. KULKARNI, J.)