

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 4873 OF 2022

Success Engineering Services

... Petitioner

vs.

The State of Maharashtra & Ors.

... Respondents

.....

Mr.Rahul Thakar i/b. Mr.C.B.Thakar for the Petitioner.

Ms.Jyoti Chavan, AGP for the State.

.....

**CORAM : NITIN JAMDAR &
ABHAY AHUJA, JJ.**

DATE : 19 JANUARY 2023

P.C. :-

The Petitioner has filed this writ petition challenging the order of cancellation of the GST registration. On the ground of availability of an alternate remedy, the Petitioner contends that it may have been time barred. The learned Counsel for the Petitioner sought to contend that since the Petitioner has received an intimation of the order of cancellation late and was not aware of the same, and if the knowledge of the Petitioner is considered as the started point, the appeal lodged would be in time.

2. The learned AGP states that since the appeal is filed and it is an endeavour to demonstrate that the appeal is in time, the decision

on this aspect would be taken by the Appellate Authority. If the Petitioner succeeds in demonstrating that the appeal is in time as contended, then it is not necessary for us to examine the matter.

3. In view of the statement made by learned AGP that decision as above would be taken by the Appellate Authority within a period of four weeks from today, the writ petition is disposed of.

ABHAY AHUJA, J.

NITIN JAMDAR, J.