



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 4580 OF 2024 IN WP/2121/2024

BAJAJ AUTO LTD THROUGH ITS AUTHORIZED OFFICER RAJESH B.
WANKHEDE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS

...
Advocate for Applicant : Mr. Rajendrraa Deshmukkh, Senior
Advocate along with Mr. Jay Veer and Ms. Ashwini Sahastrbudhe
instructed by Mr. Ajay G. Talhar
AGP for Respondents No.1 and 2 : Mrs. M. L. Sangit
Advocate for Respondents No.3 to 5 : Mr. S. D. Kaldate
Advocate for Respondent No.6 : Mr. V. D. Sapkal, Senior Advocate
instructed by Mr. A. A. More
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CORAM : S. G. MEHARE, J.

DATE : 03-05-2024

PER COURT :-

1. Heard the learned senior counsels for the respective parties.
2. After hearing the respective senior counsels at length, the proposal came from the applicant that it does not want to evade the tax. However, the dispute is to be adjudicated finally by the Hon'ble Supreme Court. This Court granted time till 26.05.2024. The Special Leave Petition challenging the order dated 26.03.2024 of this Court is almost ready and likely to be submitted before the Hon'ble Supreme Court in a short time. However, to show the *bona fide*, the applicant is ready to deposit principal amount of tax of Rs.3,23,93,337/- with contesting respondent No.6/Gram Panchayat, within two weeks.

3. Mr. Sapkal, learned Senior Counsel for respondent No.6 states that he has instructions from respondent No.6 and he has consented him to accept the proposal conditionally that though the proposal amount is deposited with respondent No.6/village panchayat, he cannot waive the penal interest of 5%.

4. In view of the interaction and proposal, ten days are granted to the applicant to deposit the principal amount of tax of Rs.3,23,93,337/- with contesting respondent No.6 / village panchayat unconditionally.

5. Contesting respondent No.6/village panchayat would not take any coercive action against the applicant till 26.05.2024. All the issues that may fall for consideration are kept open.

6. Respondent No.6/village panchayat, if acted upon the impugned demand notice, it would recall it.

7. On depositing this amount, contesting respondent No.6/ Gram Panchayat should not take any coercive action against the applicant till 26.05.2024.

8. In view of the above, the civil application stands disposed of.

(S. G. MEHARE)
JUDGE