

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8905 OF 2024

Brewcrafts Microbrewing Pvt. Ltd.

...Petitioner

Versus

The State of Maharashtra,
Through the Principal Secretary & Ors.

...Respondents

Mr. Rohan Shah, Senior Advocate a/w. Mr. Anay J. Banhatti, Ms. Asmita Gupta, Ms. Ankita Vashishtha and Mr. Siddhant Chhabra for Petitioner.

Mr. A. I. Patel, Addl. G. P. a/w. Mr. M. M. Pable, AGP for Respondent-State.

CORAM : M. S. SONAK &
JITENDRA JAIN, JJ.

DATED : 14th OCTOBER 2024

PC. :

1. Heard learned counsel for the parties.
2. Mr. Shah, learned counsel for the Petitioner on instructions seeks leave to withdraw this petition with liberty to institute appeals, under the provisions of the MVAT Act, within three weeks along with applications for interim relief.
3. The Appellate Authority must decide the stay application within three weeks of their institution. If the appeals are indeed instituted within three weeks, Appellate Authority must decide appeal in their own merits without reverting to the issue of limitations because

the Petitioners were bonafide pursuing not only this petition, but even two earlier petitions.

4. Until the stay applications are disposed of, the Respondents must not take any coercive steps. In case the stay applications are rejected, coercive steps must not be taken for a period of two weeks from the date of dismissal of such stay applications.

5. All contentions of all parties are left open, because we have not examined the rival contentions on merits.

6. Accordingly, leave is granted to withdraw this petition with liberty as prayed for. This petition is disposed of in the above terms. There should be no order for costs.

7. All concerns to act on an authenticated copy of this order.

(JITENDRA JAIN, J.)

(M. S. SONAK, J.)