



Darshan Patil

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 17556 OF 2024

Surinderpal Chamanlal Aggarwal
HUF (Metals & General Trading Co.) ...Petitioner

Versus

State of Maharashtra and Ors. ...Respondents

Mr Prasannan Namboodiri, a/w Prathibha Namboodiri, Tejal S
Darekar, Pallavi Dabak, Rishabh Sinha, for the Petitioner.
Ms S D Vyas, Addl. GP a/w S L Babar, AGP, for the
Respondent-State.

CORAM: M.S. Sonak &
Jitendra Jain, JJ.

DATED: 14 December 2024

PC:-

1. Heard learned counsel for the parties.
2. Rule. The Rule is made returnable immediately with the consent of and at the request of learned counsel for the parties.
3. The facts, circumstances and issues involved in this petition are almost identical to those involved in Writ Petition No. 18012 of 2024 (**Surinderpal Chamanlal Aggarwal Vs. State of Maharashtra and Ors.**) disposed of by us on 09 December 2024.

4. The earlier petition was also instituted by the same petitioner and in almost identical circumstances. Therefore, by following our order dated 09 December 2024 in the earlier petition i.e. Writ Petition No. 18012 of 2024 we disposed of this petition by making the following order:-

(a) The impugned order dated 29 December 2023 is set aside and the matter is remanded to respondent No.3 for fresh adjudication;

(b) Before such adjudication, the respondents must furnish documents insofar as concern the petitioner at serial Nos. 1, 2 and 3 referred to in the references in the impugned order and/or any other material that may seek to rely upon or may use against the petitioner;

(c) The petitioner must be allowed a reasonable opportunity to deal with or explain such documents;

(d) Further the petitioner must also be given an opportunity for a hearing before the final reasoned order is passed;

5. All contentions of all parties are, however, left open since the impugned order is set aside only on the ground of failure of natural justice.

6. The Rule is made absolute in the above terms without any cost order.

(Jitendra Jain, J)

(M.S. Sonak, J)