

Amol

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 17998 OF 2024

Decan Steel Tubes a Partnership Firm ...Petitioner

Versus

The Union of India thr.
The Secretary Ministry of Finance
Dept. of Revenue & Anr ...Respondents

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Mr CB Thakar, for the Petitioner.

**Mr Jaymala Ostwal, with Ms Mamta Omle, for the
Respondents.**

CORAM M.S. Sonak &
Jitendra Jain, JJ.
DATED: 12 December 2024

PC:-

1. Heard learned Counsel for the parties.
2. The learned Counsel for the Petitioner, on instructions, seeks leave to withdraw this Petition with liberty to institute an appeal against the impugned order.
3. Accordingly, leave is granted with liberty to institute the appeal.
4. Mr Thakkar states that appeal would be instituted within four weeks form today. If an appeal is indeed instituted within four weeks, the appellate authority to consider the

matter on merits instead of advertng to the issue of limitation. This is because this Petition was instituted within the limitation period for filing an appeal and the Petitioner was bona fide pursuing the same.

5. This Petition is disposed of with liberty in above terms. All contentions of all parties are left open.

6. Pending Interim Applications, if any, stand disposed of.

7. All ad-interim or interim orders, if any, stand vacated forthwith.

(Jitendra Jain, J)

(M.S. Sonak, J)