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

WRIT PETITION NO.2451 OF 2024

Pepperfry Limited

.. Petitioner

Versus

Union of India & Ors.

.. Respondents

Mr. Bharat Raichandani a/w Mr. Jasmine Dixit i/by UBR Legal for the petitioner.

Ms. Jyoti Chavan, Addl. G. P a/w Mr. Manish Upadhye, AGP for the State.

CORAM : M. S. Sonak &

Jitendra Jain, JJ.

DATE : 12 November 2024

PC:-

1. Heard learned counsel for the parties.
2. Rule. Rule is made returnable immediately at the request and with the consent of the learned counsel for the parties.
3. The learned counsel for the parties have agreed that the issue involved in this petition is entirely covered by our order dated 11 October 2024 in Writ Petition No.4500 of 2024 instituted by the very same petitioner. Mr. Raichandani submits that even the date of the order is the same.
4. Accordingly, by adopting the reasonings in our order dated 11 October 2024 disposing Writ Petition No.4500 of 2024, we allow this petition, quash and set aside the impugned order dated 3 July 2023 and remand the matter to the 4th respondent for fresh adjudication on a show cause notice dated 10 April 2023.
5. In addition, we grant the petitioner two weeks' time to file reply to

the show cause notice dated 10 April 2023. After the reply is filed, the 4th respondent must consider such reply, hear the petitioner and dispose of the show cause notice as expeditiously as possible, in any event, within eight weeks of receiving such reply being filed.

6. All contentions of all the parties are left open.

7. The relief granted to the petitioner is in the peculiar circumstances of this case and subject to the petitioner paying costs of Rs.50,000/-. Such costs must be paid within two weeks from today to the Tata Memorial Hospital, Parel and the payment of such costs shall be a pre-condition for receiving the benefit of this order.

8. The rule in this petition is disposed of in the above terms. All concerned to act on the authenticated copy of this order.

(Jitendra Jain, J.)

(M. S. Sonak, J.)