

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2806 OF 2024

BDP UGL Global Logistics (India) Pvt. Ltd. ...Petitioner

Versus

Assessment Unit, Income Tax Department, NFAC ...Respondents
& Ors.

Ms. Priyanka Jain a/w Pankaj Soni i/b Vaish Associates, for the Petitioner.

CORAM: _____
**G. S. KULKARNI &
SOMASEKHAR SUNDARESAN, JJ.**

DATE **10 SEPTEMBER 2024**

P.C. _____

1. Called out for speaking to the minutes of the order dated 3 September 2024.

2. After paragraph No.3 add the following paragraphs :

“3A. Learned counsel for the petitioner submits that the petitioner is desirous of moving a stay application in the pending appeal before the Commissioner of Income Tax (Appeals), and till such stay application is decided, the petitioner may be granted an ad-interim protection.

4. In this context our attention is drawn to an order dated 2 September 2024 passed on **E Con Packaging Pvt. Ltd. Vs. National Faceless Assessment Centre, Delhi & Ors¹**. in which we had permitted the petitioner therein to file stay application and till the application is decided, the impugned demand as made by the respondents, was directed to remain stayed.

5. In our opinion, the petitioner can be granted similar reliefs. Accordingly, in the interest of justice we make the following Order:

ORDER

- i. The petitioner is permitted to file a stay application in the pending appeal.
- ii. Until the stay application is decided, the impugned demand as made by the respondents shall remain stayed.

3. Order be corrected accordingly and copies of the order be made available to the parties.

(SOMASEKHAR SUNDARESAN, J.)

(G. S. KULKARNI, J.)

1 Writ Petition (L) No. 14778 of 2024