

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

PRACHI
PRANESH
NANDIWADEKAR
Digitally signed
by PRACHI
PRANESH
NANDIWADEKAR
Date: 2024.12.16
17:51:18 +0530

WRIT PETITION NO.4579 OF 2024

M/s. Abbott Healthcare Private Limited .. Petitioner
Versus
The Commissioner of State Tax & Anr. .. Respondents

Mr. Rohan Shah, Senior Advocate a/w Mr. Mayank Jain, Mr. Marmik Kamdar, Ms. Ankita Vashistha and Mr. Mohammed Anaswalla i/by Khaitan & Co. for the petitioner.

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

**CORAM : M. S. Sonak &
Jitendra Jain, JJ.
DATE : 16 December 2024**

P.C.:-

1. After this matter was argued for some time, Mr. Shah, learned Senior Advocate for the petitioner, on instructions, states that the petitioner will avail of an alternate remedy of the appeal in this matter. He says that an appeal would be instituted within four weeks from today.
2. If the appeal is indeed instituted within four weeks from today after complying with all legal requirements, same should be disposed of on merits without advertting to the limitation issue since this petition was instituted within the limited period prescribed for instituting an appeal and the petitioner was bona fide prosecuting this petition.
3. All contentions of all the parties are left open since this Court has not examined the merits on the rival contentions.
4. This petition is disposed of with liberty as prayed for.
5. All concerned to act on the authenticated copy of this order.

(Jitendra Jain, J.)

(M. S. Sonak, J.)