



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1 CIVIL APPLICATION NO. 12233 OF 2025
IN RAST/30615/2025

PRAGATI CONSTRUCTION THROUG ITS PARTNER GOVIND GYNOBA
MAKHANE

VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

...

Mr. Alok Sharma, Advocate for Applicant;

Mr. L. S. Laddha a/w. Mr. P. P. Khothari, Advocate for Respondent Nos.1
to 3.

...

WITH
CIVIL APPLICATION NO. 12290 OF 2025
IN RAST/30607/2025

PRAGATI CONSTRUCTION THROUG ITS PARTNER GOVIND GYNOBA
MAKHANE

VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

...

Mr. Alok Sharma, Advocate for Applicant;

Mr. L. S. Laddha a/w. Mr. P. P. Khothari, Advocate for Respondent Nos.1
to 3.

...

CORAM : R. G. AVACHAT &
NEERAJ P DHOTE, JJ.

DATE : 24th NOVEMBER, 2025

PC.:-

1. Since the delay is of not more than 44 days and there is no serious objection raised in the reply, the delay deserves to be condoned, although during oral submissions, the learned Advocate for Respondent No.1 relied upon the following judgments of the Hon'ble Supreme

Court and High Courts in support of rejection of the present application:-

- “(i). Pathapati Subba Reddy (Died) by L.Rs. Vs. The Special Deputy Collector (LA), reported in (2024) 4 SCR 241;*
- (ii). Geeta Rath Vs. State of Odisha & Ors. In RVWPET No.157 of 2025;*
- (iii). Board of Control For Cricket, India Vs. Netaji Cricket Club, reported in 2005 (4) SCC 741;*
- (iv). M/s. Lala Shivnath Rai Sumerchand Confectioner Pvt. Ltd. Vs. Additional Commissioner, CGST Delhi-West, New Delhi in Writ Petition (C) No.8028 of 2025 & CM APPL No.35217 of 2025;*
- (v). Thungabhadra Industries Ltd. Vs. The Government of Andhra Pradesh, reported in (1964) AIR (SC) 1372;*
- (vi). TVL Sri Ramakrishna Agencies, Represented by its Proprietor, T. Ramdoss Thimmi Chettiar Vs. The Commissioner of Commercial Taxes, The State Tax Officer, the Deputy Commercial Tax Officer, reported in (2025) TaxCorp (GST) 58916 (HC-MADRAS);*
- (vii). S. Murali Sundaram Vs. Jothibai Kannan & Ors., reported in (2023) AIR (SC) Civil 1529.”*

2. Applications are allowed.

(NEERAJ P DHOTE, J.)

(R. G. AVACHAT, J.)