

Amol

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 5986 OF 2024
WITH
INTERIM APPLICATION NO. 7427 OF 2025
IN
WRIT PETITION NO. 5986 OF 2024**

Wilo Mather & Platt Pumps Pvt Ltd ...Petitioner

Versus

Deputy Commissioner of State Tax & Ors ...Respondents

**Mr Sandeep Sachdeva, i/b, D Serve Legal, for the
Petitioner/Applicant.**

**Ms S D Vyas, Addl GP, with Mr Aditya R Deolekar, AGP, for
the Respondent-State.**

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**CORAM M.S. Sonak &
Jitendra Jain, JJ.
DATED: 07 July 2025**

PC:-

1. Heard learned Counsel for the parties.
2. After arguing the matter for some time, the learned Counsel for the Petitioner, on instructions, seeks leave to withdraw this Petition with liberty to avail of the alternate remedy of appeal under the statute.
3. On instructions he states that the such an Appeal would be instituted within four weeks from today and since this Petition was instituted on 4 April 2024 to challenge the

impugned order dated 29 December 2023, the Petitioner be protected in so far as the limitation issue is concerned.

4. If the Petitioner prefers an Appeal within four weeks from the date of uploading of this order, then, the appellate authority should decide this Appeal on its merits given the fact that this Petition was pending in this Court from 4 April 2024 onwards and the Petitioner was bona fide prosecuting the same.

5. Accordingly, leave is granted to withdraw this Petition with liberty to file an Appeal and if such Appeal is indeed filed within four weeks, the same must be decided on its own merits and in accordance with law. All contentions of all parties are left open.

6. This Petition is disposed of in the above terms without any costs order. The Interim Application does not survive and is disposed of. All concerned to act on an authenticated copy of this order.

(Jitendra Jain, J)

(M.S. Sonak, J)