

Amol

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

WRIT PETITION NO. 18544 OF 2024

Veritas Logistics Pvt Ltd

...Petitioner

Versus

Union of India & Ors

...Respondents

Mr Rahul Sarda, *with Mr Avdhoot Prabhu, i/b, Lex Services,
for the Petitioner.*

Mr Satyaprakash Sharma, *with Mr Abhishek Mishra & Ms
Harpreet Kaur Sethi, for the Respondent Nos. 1 & 3.*

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: 23 June 2025

PC:-

1. Heard learned Counsel for the parties.
2. The Petitioner challenges the Order in Appeal, on the ground that the Appellate Tribunal is presently not functioning and therefore, the Petitioner has no other remedy other than instituting this Petition.
3. The Appellate Tribunal is till date not functioning. The Respondents are conscious of this position and have therefore issued a trade circular dated 13 August 2024 dealing with this aspect. In terms of the trade circular, an Appeal can be filed no sooner the Tribunal starts functioning and the period of limitation will also be construed from the date of the

functioning of the Tribunal. For this, the Petitioner would have to make a declaration as provided in Annexure-II to the trade circular dated 13 August 2024 and pay the prescribed pre-deposit amount. Once this is done, then there would be no recoveries until the disposal of the Appeal.

4. Since, the trade circular dated 13 August 2024 deals with the situation where a party is unable to institute an Appeal for want of a functioning of an Appellate Tribunal, there is no point in entertaining this Petition. The learned Counsel for the Petitioner, on instructions seeks leave to withdraw this Petition with liberty to follow the procedure prescribed in the trade circular dated 13 August 2024.

5. Ms Vyas, the learned Counsel for the Respondent also submits that this would be an appropriate course to adopt.

6. Mr Sarda states that the required declaration with the pre-deposit would be complied within four weeks from today. This statement is accepted. If there is a compliance within four weeks from today, then, the terms of the circular dated 13 August 2024 should follow and no recoveries should be made until the disposal of the Appeal.

7. All contentions of all parties on merits are left open to be determined by the Appellate Tribunal once it begins to function.

8. This Petition is disposed of in the above terms without any costs order. All concerned to act on an authenticated copy of this order.

(Jitendra Jain, J)

(M.S. Sonak, J)