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

WRIT PETITION NO.6230 OF 2025

Raakesh Rajendrakumar Agarwaal .. Petitioner

Versus

Union of India & Ors. .. Respondents

WITH

**INTERIM APPLICATION (ST) NO.16518 OF 2025
IN
WRIT PETITION NO.6230 OF 2025**

Raakesh Rajendrakumar Agarwaal .. Applicant

Versus

Union of India & Ors. .. Respondents

Mr. Zal Andhyarujina, senior advocate a/w J. G. Aradwad (Reddy), Amol Mhatre, Maithili Parekh, Ashwini Jadhav i/b Abhijit Patil, Advocates for the Petitioner.

Mr.Siddharth Chandrashekhar a/w Harshal Shingnapurkar, Soutrik Kar, Ritik Gupta, Advocates for Respondents.

**CORAM : B. P. COLABAWALLA &
FIRDOSH P. POONIWALLA, JJ.
DATE : MAY 09, 2025**

Utkarsh

P. C.

1. The above Writ Petition is filed to quash and set aside the impugned order dated 4th February 2025. By the impugned order the Petitioner has been asked to pay approximately Rs.5.4 Crores by way of GST as well as penalty.

2. Mr.Andhyarujina, the learned senior counsel appearing on behalf of the Petitioner, submitted that the Petitioner would like to avail of the alternate remedy of Appeal under Section 107 of the CGST Act, 2017 to challenge the aforesaid order. He, therefore sought leave to withdraw the above Writ Petition. He, however, submitted that the Petitioner apprehends that coercive action may be taken against the Petitioner, and therefore, till the filing of the Appeal, effect and implementation of the impugned order be stayed.

3. Mr.Chandrashekhar, the learned counsel appearing on behalf of the Respondents, has opposed the grant of any stay to the Petitioner in relation to the impugned order dated 4th February 2025.

4. Having heard Mr.Andhyarujina, we allow the Petitioner to withdraw the above Petition with liberty to avail of the alternate remedy of Appeal as contemplated under Section 107 of the CGST Act, 2017. The aforesaid Appeal shall be filed within a period of 2 weeks from today.

5. We direct that in the peculiar facts and circumstances of the present case, till the Appeal is filed, no coercive action will be taken against the Petitioner pursuant to the impugned order dated 4th February 2025.

6. The Writ Petition is accordingly disposed of as withdrawn. However, there shall be no order as to costs.

7. In view of the disposal of the above Writ Petition, nothing survives in any pending Applications filed therein and the same are also disposed of accordingly.

8. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[FIRDOSH P. POONIWALLA, J.]

[B. P. COLABAWALLA, J.]

Page 3 of 3
MAY 09, 2025

Utkarsh