

Amol

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

WRIT PETITION NO. 208 OF 2025

G Khanna and Company ...Petitioner

Versus

Union of India & Ors ...Respondents

Ms Dhanishtha Kawale, i/b, UBR Legal, for Petitioner.

Mr JB Mishra, for Respondent No. 1-UOI.

Mr Prashant Kamble, AGP, for Respondent No. 2.

**Ms Shruti Vyas, with Mr Satyaprakash Sharma, for
Respondent Nos. 3 and 4.**

**CORAM: M.S. Sonak &
Advait M. Sethna, JJ.**

DATED: 09 September 2025

PC:-

1. Heard Ms Dhanishtha Kawale for the Petitioner, Mr Jitendra B Mishra for Respondent No. 1, Mr Prashant Kamble for Respondent No. 2, on our request, Ms Vyas appears for Respondent Nos. 3 and 4.

2. The challenge is to the appellate authority's order which was passed on 19 September 2024 dismissing the Petitioner's appeal on the ground of alleged short payment of pre-deposit amount. Ms Kawale states that there was no short deposit and in any event, considering the law laid down by this Court in **JEM Exporter Vs Union of India & Ors**¹, the

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¹ Writ Petition (L) No. 25142 of 2022 decided on 2 August 2023

appellate authority should have issued a deficiency memo so that deficiency if any, could have been made good instead of dismissing the appeal for alleged non-compliance. Considering the submission made and the decision in *JEM Exporter* (supra), we post this Petition for final disposal at the admission stage on 23 September 2025.

3. Ms Kawale states that latest by tomorrow she will furnish a copy of this Petition to the learned Counsel appearing on behalf of the Respondents.

(Advait M. Sethna, J)

(M.S. Sonak, J)