

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

WRIT PETITION NO. 1240 OF 2025

M/s Gannon Dunkerley & Co. Ltd ... Petitioner

V/s.

The State Bank of India & Ors. ... Respondent

Adv. Amir Arsiwala a/w Mr. Rahul Gupta for the Petitioners.

Mr. G.P. Dwivedi for Respondent No.2

**CORAM : R.I. CHAGLA AND
FARHAN P. DUBASH, JJ.**

Date : 3rd December 2025

ORDER:

1. Mr. Dwivedi, learned Counsel appearing on behalf of Respondent No.2 has sought time once again. Mr. Dwivedi had pursuant to Court notice issued, appeared for Respondent No.2 on 24th April 2025 and had sought time on that date as well.

2. It was made clear in the prior order dated 1st December 2025 that a last opportunity is given to Respondent No.2 to remain present on the next date and failure to do so, would result in the Writ Petition being heard and

disposed of in the absence of Respondent No.2

3. Mr. Dwivedi who appears today has sought as he says “breathing time” to take instructions.

4. He informs this Court that he is unable to assist this Court on account of him not carrying the brief. This is inspite of the above Writ Petition having been served on Respondent No.2 way back on 3rd April 2025 and an Affidavit-of-Service to that effect having been filed.

5. This approach of Mr. Dwivedi in the matter is highly inappropriate and unacceptable to this Court.

6. We direct the concerned officer of Respondent No.2 - the Assistant Collector, Commercial Tax, Division-25 Kanpur, Vanijya Kar, Kapur, Uttar Pradesh- 208 024 who issued the impugned notice dated 17th February 2025 to the Respondent No.1-Bank to remain present before this Court on the next date.

7. Respondent No.2 shall inform this Court on the next date whether the impugned notice dated 17th February 2025 is being withdrawn. It is made

clear that the Writ Petition shall be heard on the next date i.e. on 17th
December 2025 at 3.00. p.m.

8. Stand Over to 17th December, 2025 at 3:00 p.m.

(FARHAN P. DUBASH, J.)

(R.I. CHAGLA J.)

JYOTI
PRAKASH
PAWAR

Digitally signed by
JYOTI PRAKASH
PAWAR
Date: 2025.12.04
11:51:20 +0530

910. WP-1240-2025.doc
Mandar M.