

*rsk*

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

**WRIT PETITION NO.2222 OF 2025**

|                             |               |
|-----------------------------|---------------|
| Indian Oil Corporation Ltd. | ...Petitioner |
| <i>Versus</i>               |               |
| Union of India              | ...Respondent |

---

**Mr.Sriram Sridharan,** for the Petitioner.

**Ms. Shruti Vyas a/w. Ms. Niyati Mankad,** for Respondent  
No.3-Custom.

---

**CORAM    M. S. Sonak &  
                 Jitendra Jain, JJ.  
DATED:    08 JULY 2025**

**PC:-**

1. Heard Mr. Sriram Sridharan, learned counsel for Petitioner and Ms. Shruti Vyas, learned counsel for Respondent No.3.
2. This petition is directed against the order in appeal dated 12 November 2024 and 14 November 2024 dismissing the petitioners Appeal on the alleged ground of shortfall in pre-deposit amount.
3. The impugned order is required to be set aside because before the same was passed without providing opportunity to the petitioner to show how there was deficit in the pre-deposit. In any event, Mr. Vyas has now made a statement that though there was some deficiency in mode of proof, upon verification, it is now revealed that pre-deposit was actually

made and in any event the deficiency was cured.

4. Accordingly, Mr. Vyas, on instructions submits that the impugned order be set aside and the matter be remanded to the appellate authority for consideration of petitioner's appeal on merits in accordance with law.

5. Accordingly, the impugned order is set aside. The matter is remanded to the appellate authority for disposal of the appeal in accordance with law on its own merits. All contentions of the parties on merits are kept open.

6. This petition is disposed of in the above terms with no costs whatsoever.

7. Parties to act on an authenticated copy of this order.

**(Jitendra Jain, J)**

**(M. S. Sonak, J)**