

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

WRIT PETITION NO. 16294 OF 2025

Surendra Sadanand Kathole ...Petitioner
Versus
The State of Maharashtra Thr. G. P. and Ors ...Respondents

Mr. Roshil Nichani, a/w Mr. Aansh Desai, i/b Pythagoras Legal, for the
Petitioner.

Ms. Ashwini A. Purav, AGP for the Respondent/State.

**CORAM: MANISH PITALE &
SHREERAM V. SHIRSAT, JJ.**

DATE: 28th JANUARY 2026.

P.C.

1. In this petition, the petitioner relies upon Full Bench judgment of this Court in the case of *"Jalgaon Janta Sahakari Bank Ltd and Ors Vs Joint Commissioner of Sales Tax and Ors"*¹ to pray for relief. We find that the aforesaid contention raised on behalf of the petitioner deserves acceptance and that consequential relief in this petition should follow.

2. But, the record shows that earlier time was granted to the respondents to file reply affidavit and yet the affidavit is not placed on record.

3. In the facts and circumstances of present case, it is Respondent No. 6 who has to file reply affidavit in the present petition and to respond to the specific contentions raised on behalf of the petitioner.

1 2022 SCC OnLine Bom 1767

4. As a matter of last chance, the Respondent No. 6 is granted time till the 6th February 2026 to file reply affidavit. It is made clear that no further time shall be granted and in the event, reply affidavit is not placed on record, this Court shall proceed to consider the petition on the basis of the statements made in the writ petition.

5. List the petition at the bottom of the supplementary list on 12th February 2026.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)