

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

WRIT PETITION NO. 2023 OF 2016

Nicomet Industries Ltd.                }     Petitioner  
  }     versus  
Union of India and Ors.               }     Respondents

Mr. Madhur Rai with Ms. Chaitrika Patki  
i/b. M/s. Vidhi Partners for the petitioner.

Mr. Dushyant Kumar - Assistant  
government Pleader for respondent nos. 2  
and 3.

**CORAM :- S. C. DHARMADHIKARI &  
           B. P. COLABAWALLA, JJ.**

**DATED :- NOVEMBER 29, 2016**

**P.C. :-**

1. The further affidavit of the petitioner's advocate, in compliance of the earlier order, is taken on record. A copy thereof has been served on the learned AGP.

2. The respondents' counsel also tenders a copy of the letter addressed by the Deputy Commissioner of Sales Tax (E-615), Larger Taxpayers Unit, Mumbai to the Board for Industrial and Financial Reconstruction, New Delhi. After a brief hearing and when we called upon the respondents' counsel to satisfy us as to how in the teeth of the pending reference and the language of

section 22(1) of the Sick Industrial Companies (Special Provisions) Act, 1985 can the attachment levied on the movables and other properties of the petitioner be continued, it is fairly stated, on instructions, that within a period of one week from today, this attachment would be raised. We accept the statement made by the respondents' counsel, on instructions, as an undertaking given to this court.

3. In the light of the above statement, nothing survives in the writ petition and it is disposed of.

(B.P.COLABAWALLA, J.)

(S.C.DHARMADHIKARI, J.)