

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

WRIT PETITION (L) NO.13949 OF 2025

Serenity Trades Private Limited ... Petitioner

Versus

State of Maharashtra ... Respondent

**Mr Prakash Shah Senior Counsel a/w Mr Prithviraj Choudhari
i/by Mr Aansh Desai i/by Pythagoras Legal, for Petitioner
Ms Prachi Takake, Addl. GP , for Respondent No.1 to 4.**

**CORAM : M.S. Sonak &
Jitendra Jain, JJ.**

DATED : 16 June 2025

ORAL JUDGMENT (Per M.S.Sonak,J.):-

1. Heard Mr. Shah, learned Senior Counsel, who appears with Mr. Choudhari for the Petitioner and Ms. Prachi Takake, Addl. GP for the Respondents.
2. Rule. The Rule is made returnable immediately at the request of and with the consent of the learned counsel for the parties.
3. The Petitioner challenges the provisional attachment notice dated 24 April 2025 (Exhibit C-1), attaching the Petitioner's following bank account with the HDFC Bank ;

- (i) 14448630000036
- (ii) 50200044096410
- (iii) 99999908082009
- (iv) 14448630000043

4. Mr. Shah points out that the impugned attachment notices purports to attach Petitioner's other bank accounts also with the same PAN number.

5. Admittedly, as on date, no order raising any demand has been issued against the Petitioner. Mr. Shah pointed out that two show cause notices dated 5 June 2025 have been issued to the Petitioners after the institution of this Petition. But till date, no orders have been made adjudicating the show cause notices or raising any demand. Since, no demands have been raised against the Petitioners, we are doubtful whether the impugned orders provisionally freezing the Petitioner's bank account could have been made in this matter.

6. Mr. Shah, on instructions from Mr. Ramesh Kadam representative of the Petitioner, who is present in the court, submitted that the Petitioner's were prepared to proceed on the basis that eventually some adverse order may be passed against the Petitioners, which, the Petitioners, would be required to appeal. He submitted that the impugned order refers to a potential liability of Rs.3.56 Crores. He submits that an appeal would require to deposit of 10% of the amount which would come to approximately Rs.36 Lakhs. On instructions, Mr.Shah submitted that the Petitioner would maintain a deposit Rs.36 Lakhs in HDFC Bank Account No.14448630000036 so that, should occasion for instituting an appeal arises, this amount could be utilized for making

pre-deposit. He submits that there was no reason to impose any restraints on the Petitioner operating the account in so far as the amounts in excess of Rs.36 Lakhs are concerned.

7. Considering the offer made, we interfere with the impugned orders dated 24 April 2025. The same is quashed and set aside. However, the Petitioner, consistent with its above statement, will ensure that an amount of Rs.36 Lakhs remains deposited in its Bank Account No. 14448630000036. If any occasion arises for instituting an appeal, then, it will be open to the Petitioner to transfer this amount to the Respondents for adjustment towards pre-deposit.

8. The Respondents must inform the HDFC Bank about this order and the setting aside of the orders dated 24 April 2025 freezing the Petitioner's bank account. The HDFC Bank should also act on an authenticated copy of this order.

9. The Rule is disposed of in the above terms without any cost order.

10. All concerned to act upon the authenticated copy of this order.

(Jitendra Jain, J)

(M.S. Sonak, J)