

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

**INTERIM APPLICATION (L) NO.40784 OF 2025
(for modification)**

**IN
WRIT PETITION NO.3121 OF 2024**

NCDEX e Markets Ltd .. Applicant

In the matter between:-

NCDEX e Markets Ltd .. Petitioner

Versus

Union of India & Ors. .. Respondents

**Mr.V. Sridharan, Senior Advocate a/w Gajendra Jain,
Harshal Jain i/b Sriram Sridharan, Advocates for the
Applicant.**

**Mr.Jitendra Mishra a/w Vaishnavi Tathe, Maya
Majumdar, Advocates for Respondents.**

**CORAM : B. P. COLABAWALLA &
ADVAIT M. SETHNA, JJ.**

**DATE : DECEMBER 17, 2025
(in chamber at 5.15 p.m.)**

P. C.

1. The above Interim Application has been filed for seeking a modification of the Interim Order dated 9th December 2025. The order dated 9th December 2025 was passed by a Division Bench consisting of

M.S. Sonak & Advait M. Sethna, JJ. The matter has been moved urgently before us because the aforesaid Bench is not currently available.

2. By the order dated 9th December 2025, the aforesaid Division Bench [M.S. Sonak & Advait M. Sethna, JJ.] confirmed the ad-interim relief granted by this Court on 7th March 2025 on the condition that the Petitioner must deposit 10% of the tax amount within 4 weeks from 9th December 2025. This period expires on 6th January 2026. It is the case of the Petitioner that the aforesaid order needs to be modified and the condition put for depositing 10% of the tax amount ought to be done away with for the reasons more particularly set out in the Interim Application.

3. Considering that the matter is moved urgently before us because the aforesaid Bench of M.S. Sonak & Advait M. Sethna, JJ is not currently available, we simpliciter extend the time to make the deposit [as directed in the order dated 9th December 2025], upto 3rd February 2026.

4. In the meanwhile, the Petitioner shall take steps to ensure that the aforesaid Bench is constituted so that the above Interim Application for modification can be heard by them. The reason why we have taken this course of action is basically because though the Interim Application is styled as a modification, this is really in the nature of a review, and therefore will have to be heard by the same Bench.

5. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

[ADVAIT M. SETHNA, J.]

[B. P. COLABAWALLA, J.]