

ARJUN
MACHHINDRA
KADAM

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 14846 OF 2023

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Date: 2026.10.07
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IPCA Laboratories Ltd.

... Petitioner

Versus

Union of India & Ors.

... Respondents

Mr. Parth Parikh a/w. Mr. Yash Prakash i/b Economic Laws Practice
for the Petitioner.

Mr. Karan Adik a/w. Ms. Sangeeta Yadav for the Respondent-State.

CORAM : M. S. KARNIK AND
SANDESH D. PATIL, JJ.

DATED : 6th OCTOBER, 2026.

P.C. :

1. Heard learned counsel for the petitioner.
2. The petitioner has filed this petition challenging the action on the part of the respondents in collecting interest on Integrated Goods and Services Tax ('IGST') levied under Section 3(7) of the Customs Tariff Act, 1975 with respect to import of goods during the period October, 2017 to March, 2018, despite there being no charging provision either under the Customs Tariff Act, 1975 or

the Customs Act, 1962 for imposition of interest on such IGST.

3. Mr. Adik, learned counsel for the respondents invited our attention to the Affidavit-in-Reply and made an attempt to justify the interest which was levied on Integrated Goods and Services Tax. However, the issue is no more *res integra* in view of decision of this Court in Mahindra & Mahindra Ltd. (Automotive Sector) Vs. The Union of India & Ors¹. Our attention is also invited to the decision of this Court dated 1st September, 2026 in a petition filed by Leben Laboratories Pvt. Ltd. Vs. Union of India & Ors. in Writ Petition No. 15373 of 2025.

4. In such view of the matter, the writ petition deserves to be allowed.

5. Learned counsel for the petitioner submits that the petitioner would make an application to the respondents/proper authority for refund of the amount of interest.

6. If such an application is made, the application be considered expeditiously in any case within a period of 16 weeks from the date of receipt of the application.

7. It is for the petitioner to satisfy the authority that the

¹ 2022 (10) TMI 212-Bom. HC

component of interest has not been passed on further to the buyers/
customers.

8. The petition is disposed of.

(SANDESH D. PATIL, J.)

(M. S. KARNIK, J.)