

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF APRIL, 2019

BEFORE:

THE HON'BLE MRS. JUSTICE S.SUJATHA

WRIT PETITION No.19074/2019 (T - RES)

BETWEEN:

M/s WIPRO ENTERPRISES PRIVATE LTD.,
No.105, HOOTAGLLI INDUSTRIAL AREA,
MYSORE - 570018
(REP. BY SHRI NIKHIL CHANDRA GUPTA
MANAGER - INDIRECT TAXATION.)

...PETITIONER

(BY SRI RAVI RAGHAVAN, ADV.)

AND:

1. THE UNION OF INDIA
THROUGH ITS REVENUE SECRETARY
DEPARTMENT OF REVENUE,
MINISTRY OF FINANCE,
128-A/NORTH BLOCK,
NEW DELHI-110001
2. THE CENTRAL BOARD OF
INDIRECT TAXES AND CUSTOMS,
THROUGH ITS CHAIRMAN,
NORTH BLOCK,
NEW DELHI-110001
3. THE GOODS AND SERVICES TAX COUNCIL
FIFTH FLOOR, TOWER II,
JEEVAN BHARTI BUILDING
JANPATH ROAD, CONNAUGHT PLACE
NEW DELHI-110001.

4. THE STATE OF KARNATAKA
THROUGH THE GOVERNMENT PLEADER
HIGH COURT, KARNATAKA-560001.
5. THE COMMISSIONER OF SGST, KARNATAKA
BANGALORE, KARNATAKA-560001.
6. THE ASSISTANT COMMISSIONER
GOODS AND SERVICE TAX, LVO 190
DEWANS ROAD, MYSORE-570001.
7. THE NODAL OFFICER, KARNATAKA CTD
JOINT COMMISSIONER OF COMMERCIAL TAXES
DGSTO 6, KIADB BUILDING
PEENYA 2ND STAGE
BANGALORE-560058. ...RESPONDENTS

(BY SRI VIKRAM HUILGOL, HCGP.)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECTION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA TO THE DIRECTING RESPONDENT No. 7 VIDE ANNEXURE-F TO ENABLE THE PETITIONER TO FILE IT'S FORM GST TRAN-2 IN WHATEVER SHORT PERIOD; AND ETC.,

THIS PETITION COMING ON FOR PRELIMINARY HEARING, THIS DAY, THE COURT MADE THE FOLLOWING:-

ORDER

Learned High Court Government Pleader accepts notice for respondent Nos.1 to 7.

2. The petitioner has sought for a writ of mandamus directing the respondent No.7 to enable the petitioner to file its Form GST TRAN-2.

3. The petitioner contends that the attempt made to file Form GST TRAN-2 was unsuccessful due to technical glitches as on 07.03.2018. Since then, several complaints have been made with the respondent-authorities to redress the grievance of the petitioner but the same not being responded to, constrained to file this writ petition.

4. Considering the last date prescribed under the notification dated 10.09.2018 for filing the Form GST TRAN-2 as 30.04.2019, the petitioner is apprehending that the Form GST TRAN-2 may not be accepted subsequently.

5. To allay the apprehension of the petitioner and to balance the equities, this Court deems it appropriate to direct the respondent No.7 to consider the representation of the petitioner dated 26.03.2019 and address the grievance of the petitioner in

accordance with law in an expedite manner to enable the petitioner to file the Form GST TRAN-2 on or before 30.04.2019 and is ordered accordingly.

The petitioner shall appear before the respondent No.7 on 26.04.2019. The respondent No.7 shall redress the grievance of the petitioner in an expedite manner as aforesaid.

Writ petition stands disposed of in terms of above.

**Sd/-
JUDGE**

NC.