

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**  
**R/SPECIAL CIVIL APPLICATION NO. 2717 of 2020**

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RIFTY VINIMAY ENTERPRISES  
Versus  
STATE OF GUJARAT

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Appearance:

MR.D K.PUJ(3836) for the Petitioner(s) No. 1

for the Respondent(s) No. 2

MR CHINTAN DAVE, AGP - ADVANCE COPY SERVED TO GOVERNMENT  
PLEADER/PP(99) for the Respondent(s) No. 1

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CORAM: **HONOURABLE MR.JUSTICE J.B.PARDIWALA**  
and  
**HONOURABLE MR. JUSTICE BHARGAV D. KARIA**

**Date : 30/01/2020**

**ORAL ORDER**

**(PER : HONOURABLE MR. JUSTICE BHARGAV D. KARIA)**

1 By this petition under Article 226 of the Constitution of India, the petitioner has prayed for quashing and setting aside the order of detention dated 5<sup>th</sup> January 2020 passed by the respondent No.2 under Section 129(1) of the GST Act, 2017 and notice issued by the respondent No.2 dated 16<sup>th</sup> January 2019 under Section 130 of the GST Act in Form GST-MOV-10.

2 The learned advocate for the petitioner submits that the petitioner would file an appropriate application under Section 67(6) of the GST Act, 2017 for provisional release of the goods and conveyance during the adjudication process of the notice issued under Section 130 of the GST Act, 2017 by the authority. He further submits that the petitioner will

approach before the authority to proceed with the adjudication process under Section 130 of the GST Act, 2017.

3 In view of the above submissions made by the learned advocate for the petitioner, this petition is disposed of by directing the respondents authorities to consider the application to be made by the petitioner for provisional release of the goods and vehicle in accordance with law. The respondents authorities will decide such application as expeditiously as possibly preferably within two weeks from the date of receipt of such application of the petitioner.

4 With the aforesaid, this petition is disposed of. Direct service is permitted.

**(J. B. PARDIWALA, J)**

**(BHARGAV D. KARIA, J)**

CHANDRESH

सत्यमेव जयते  
**THE HIGH COURT  
OF GUJARAT**

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