

Case :- WRIT TAX No. - 7 of 2018

Petitioner :- M/S Akash Traders Thru' Its Prop. Shri Rakesh Kumar

Respondent :- State Of U.P. & 2 Others

Counsel for Petitioner :- Praveen Kumar, Hitashu Kataria Anand

Counsel for Respondent :- C.S.C.

Hon'ble Bharati Sapru, J.

Hon'ble Neeraj Tiwari, J.

Heard Shri Praveen Kumar, learned counsel for the petitioner and Shri C.B. Tripathi, learned Standing Counsel for the respondent.

This writ petition has been filed by the petitioner to challenge the seizure order dated 30.12.2017 passed under Section 129(1) of U.P. GST Act (hereinafter referred to as the 'Act').

The petitioner was carrying 440 quintals of Poplar woods in Vehicle No.U.P.-22-T-9786. The goods are tax paid goods. The E-Way Bill has been produced before us and the authority also. The ground for seizing the goods is that the size of the wood planks were unequal. Other than this, there is no other allegation. No penalty order has been passed against the petitioner as yet.

In view of this, subject to deposit of security equal to the value of the goods shown in the invoice, other than cash or bank guarantee, the petitioner's vehicle and goods along with documents, which have been seized may be released forthwith.

The writ petition is accordingly disposed of.

Order Date :- 8.1.2018

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