

Court No. - 1

Case :- MISC. BENCH No. - 25251 of 2019

Petitioner :- M/S Shikhar Constructions Thru Prop. Sanjay Kumar Singh

Respondent :- State Of U.P. Thru Prin. Secy. Commercial Tax & Ors.

Counsel for Petitioner :- Shiwa Kant Tiwari

Counsel for Respondent :- C.S.C.

Hon'ble Pankaj Kumar Jaiswal, J.

Hon'ble Jaspreet Singh, J.

Heard Sri S.K. Tiwari, learned counsel for the petitioner and Sri Manish Mishra, learned Standing Counsel for respondents.

Sri S.K. Tiwari, learned counsel for the petitioner submits that though the impugned order is appellable under Section 112 of the Uttar Pradesh Goods and Services Tax Act, 2017 before the Appellate Tribunal but as at present, no Appellate Tribunal is functioning in the State of U.P. and, therefore, the present writ petition has been filed.

Learned counsel for the petitioner submits that the petitioner is ready to deposit the amount as per the provisions of Section 112 of the Uttar Pradesh Goods and Services Tax Act, 2017, which is a pre-condition for filing the appeal. He prays for fifteen days' time to comply the terms and conditions as provided under Section 112 of the Uttar Pradesh Goods and Service Tax, 2017 and submit a receipt of the same.

Prayer made is allowed.

If the petitioner fails to comply the terms and conditions as provided under Section 112 of the Uttar Pradesh Goods and Service Tax, 2017 and submit a receipt of the same within the stipulated period, the present writ petition stands dismissed without reference of the Court.

List immediately after fifteen days.

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(Jaspreet Singh, J.) (Pankaj Kumar Jaiswal, J.)

Order Date :- 16.9.2019

Ajit/-