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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

COCP-1857-2019
Date of decision: 06.09.2019

M/S MS METALS GANPAT NAGAR **.. PETITIONER**

VERSUS

ARUN GOYAL AND ANR **.. RESPONDENTS**

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Sanjay Mittal, Advocate
for the petitioner.

Mr. Sourabh Goel, Advocate
for the respondents.

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AVNEESH JHINGAN, J. (*Oral*)

The present contempt petition has been filed alleging wilful disobedience of the order dated 14.08.2018 passed by this Court in CWP No. 19574 of 2018. The operative part of the order is reproduced below:

"A perusal of the aforesaid order shows that liberty was granted to the petitioners therein to file representation to the I. T. Redressal Committee.

*The present writ petition stands disposed of in terms of the order passed in M/s Surinder Arora Enterprises's case (supra).***"**

The writ petition was disposed of in terms of the decision of this Court passed in ***CWP No. 4180 of 2018*** titled as ***Surinder Arora Enterprises Versus State of Punjab and others*** decided on 21.05.2018.

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The operative part of the said judgment is reproduced below:

> *"After hearing learned counsel for the parties, perusing the present petitions and without expressing any opinion on the merits of the cases, we dispose of the present petitions by granting liberty to those petitioners who have not filed any representation to file detailed and comprehensive representations raising all the pleas as raised in the present writ petitions before the Nodal Officer within a period of five days from the date of receipt of certified copy of the order. It is directed that in the event of representations being filed by the petitioners within the aforesaid period of five days from the date of receipt of the certified copy of the order, such representations as well as the representations already filed,shall be forwarded to the I.T. Redressal Committee concerned within next fifteen days after verification by the G.S.T.N and the Committee shall thereafter decide the same in terms of clause 5.4 of Circular No.39/13/2018-GST dated 3.4.2018 by passing a speaking order and after affording an opportunity of hearing to the petitioners within a period of four weeks from the date of receipt of the representations. The petitioners shall be entitled to lead any evidence to substantiate their claim before the concerned authority."*

An affidavit on behalf of the respondents, filed in Court today, is taken on record. A copy of the same is handed over to learned counsel for the petitioner. Alongwith affidavit, copy of the minutes of meeting/decision dated 27.05.2019 has also been annexed whereby the representation filed by

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the petitioner has been rejected.

Learned counsel for the petitioners submits that no cause of action survives for pursuing the contempt petition. However, he seeks liberty to avail remedies in accordance with law.

Disposed of as infructuous.

Rule issued against the respondents is discharged.

6th September, 2019 **(AVNEESH JHINGAN)**
shabha **JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

HIGH COURT OF PUNJAB AND HARYANA
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