

Chief Justice's Court

Case :- WRIT TAX No. - 786 of 2023

Petitioner :- M/S Dev Builder

Respondent :- Commissioner, Central Gst And Central Excise

Counsel for Petitioner :- Aditya Pandey

Counsel for Respondent :- Gaurav Mahajan

Hon'ble Pritinker Diwaker,Chief Justice

Hon'ble Ashutosh Srivastava,J.

1. Heard Shri Aditya Pandey, learned counsel for the petitioner and Shri Gaurav Mahajan, learned counsel appearing for the Revenue.
2. The controversy in this writ petition is regarding the order dated 20.01.2023 passed by the Commissioner, Central GST & Central Excise, Agra. According to the petitioner the said order is ex-parte, however, learned counsel for the respondents submits that the notices were in fact issued to the petitioner.
3. From the averments made in the writ petition it appears that the dispute exist as regards the service of notice upon the petitioner.
4. Parties have proposed that the order impugned may be set-aside giving liberty to the respondents to issue fresh notice in accordance with law which may be responded by the petitioner within the time frame fixed in the notice and thereafter fresh order be passed.
5. In view of the above, the writ petition is ***disposed of*** by requiring the respondents to issue fresh notice, to the petitioner, in accordance with law and thereafter proceed to pass orders, strictly in accordance with law.

Order Date :- 17.10.2023

Deepak/

(Ashutosh Srivastava,J.) (Pritinker Diwaker,CJ.)