

Chief Justice's Court

Case :- WRIT TAX No. - 1193 of 2023

Petitioner :- M/S Super Industries

Respondent :- State of U.P. and Another

Counsel for Petitioner :- Aditya Pandey

Counsel for Respondent :- C.S.C.

Hon'ble Pritinker Diwaker, Chief Justice

Hon'ble Ashutosh Srivastava, J.

According to the petitioner, challenge in this petition is to the impugned notice dated 19.07.2023 issued by respondent no.2.

Learned counsel for the petitioner submits that the petitioner has never received this notice as per requirement of the law and, therefore, notice is required to be set aside.

Learned counsel appearing for the State-respondents submits that now the petitioner is aware about the impugned notice and the department is willing to hear him on the point of his liability and then appropriate order would be passed after giving opportunity of hearing to the petitioner.

In view of the fair submission made by the State Counsel, impugned notice is set aside permitting the petitioner to appear before respondent no.2 on 20.11.2023. On the said date, respondent no.2 shall give an opportunity to the petitioner to represent his case and then he shall pass appropriate orders strictly in accordance with law.

The petition is, accordingly, disposed of.

It is made clear that we have not expressed any opinion on merits of the case.

Order Date :- 17.10.2023

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