

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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Civil Writ Petition No.3744 of 2015

Date of Decision: March 04, 2015

M/s Rajesh Enterprises

...Petitioner

Versus

State Bank of India and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. S.S. Brar, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Counsel for the petitioner has approached this Court with a limited prayer that as per the order dated 16.02.2015 (Annexure P-2) passed by the Assistant Commissioner, Commercial Taxation, Mobile Wing Unit-I, Shamli, the bank guarantee amounting to ₹13,08,000/- furnished by the petitioner has been ordered to be encashed. He states that the limitation for filing the appeal against the said order is 30 days and, therefore, till the date of expiry of the period for filing the appeal is exhausted, the bank guarantee may not be encashed by the respondents. He states that the petitioner is in the process of filing the appeal and the same would be filed within limitation.

In view of the prayer made by the counsel for the petitioner, the request of counsel for the petitioner with regard to non-encashment of the bank guarantee till 30 days from the date of passing of the order is accepted, provided the encashment of the bank guarantee has already not been invoked by the respondents. The same shall not be if already not encashed,

encashed till 16.03.2015.

Copy of order be given *dasti* to the counsel for the petitioner
under signatures of Bench Secretary of this Court.

March 04, 2015

Puneet

**(AUGUSTINE GEORGE MASIH)
JUDGE**