IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP No.19622 of 2016
Date of Decision: 30.09.2016

Hamdard (Wakf) Laboratories .....Petitioner

Versus

State of Haryana & others ....Respondents

CORAM: **HON'BLE MR. JUSTICE RAJESH BINDAL**
HON'BLE MR. JUSTICE DARSHAN SINGH

Present: Mr. Pankaj Gupta, Advocate for the petitioner.

Mr. Ankur Mittal, Addl. A.G., Haryana.

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RAJESH BINDAL, J

Inter alia the grievance of the petitioner is that though the bank guarantee and surety were furnished during the pendency of appeals before the Haryana Tax Tribunal, but still recovery is sought to be enforced. The appeals are not being heard.

Learned counsel for the State on instructions from Dr.Rubal, Excise & Taxation Officer, Gurgaon, submitted that till such time the appeals are taken up for final disposal by the appellate authority, in case the petitioner has already complied with the provisions of Section 33(5) of the Haryana Value Added Tax Act, 2003 (for short "the Act"), no recovery shall be effected from the petitioner.

Learned counsel for the petitioner submitted that in view of the stand taken by learned counsel for the State, the prayer made in the present petition has been rendered infructuous.

In view of the fair stands taken by learned counsel for the parties, the present petition is disposed of as infructuous.

[RAJESH BINDAL]
JUDGE

[DARSHAN SINGH]
JUDGE

30.09.2016
Vinay

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