

HIGH COURT OF CHHATTISGARH, BILASPUR

WPT No. 7 of 2017

- Jayaswal Neco Industries Ltd. A Company Incorporated Under The Companies Act, 1956 Having Its Registered Office at F-8, MIDC Industrial Area, Hingna Road, Nagpur- 440016. Maharashtra (India) And Its Unit At Siltara, Raipur (Chhattisgarh) Through Its Director And Authorized Signatory, Shri Rajesh Kumar Rathi S/o Lt. Shri I. K. Rathi, R/o C-13 Jivan Vihar Colony, Telibandha, Raipur (Chhattisgarh)

---- Petitioner

Versus

1. State Of Chhattisgarh Through Secretary Department Of Commercial Taxes, Mahanadi Bhavan, Naya Raipur, Raipur (Chhattisgarh)
2. Commissioner Of Commercial Tax, Vanijyik Kar Bhavan, Civil Lines, Raipur (Chhattisgarh)
3. Assistant Commissioner, Commercial Tax, Vanijyik Kar Bhavan, Raipur (Chhattisgarh)

---- Respondent

For Petitioner	Mr. Neelabh Dubey, Advocate
For Respondent /State	Mr. Ramakant Mishra, Dy. AG

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

20/1/2017

1. Heard.
2. It is argued that the petitioner's application dated 11.01.2017 under Section 55 of the Value Added Tax Act, 2005, to refer the question of law for determination by the High Court, is pending consideration before the Tribunal, therefore, if the recovery is

made during pendency of the reference application, the petitioner shall suffer irreparable loss.

3. After hearing learned counsel for the petitioner, the writ petition is disposed of with direction to the Tribunal to decide the reference application, at the earliest, preferably within a period of 03 months.

Sd/-

Judge

(Prashant Kumar Mishra)

Shyna