

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

CWP-4055-2018 (O&M)

Date of decision:- 21.02.2018

J.S. Traders

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, CHIEF JUSTICE
HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present:- Mr. Kumar Vishav Aggarwal, Advocate,
for the petitioner.

Mr. Deepak Balyan, Additional Advocate General, Haryana,
for the respondents.

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S.J. VAZIFDAR, C.J. (ORAL)

The petitioner merely seeks an order directing the respondents to release the goods which were seized during the course of a roadside checking on furnishing the bank guarantee to the satisfaction of the respondents as to the quantum as well as the nature of the guarantee.

2. The respondents do not claim any right in respect of the goods so long as the entire amount due to them as per their calculation/assessment is paid or safeguarded. In these circumstances, the goods shall be released upon the petitioner furnishing an unconditional without demur guarantee of a nationalized bank for the amount due and likely to be due to the respondents. We have not computed the amount. It is upto the respondents to compute the claim made and/or likely to be made. The respondents shall inform the petitioner the amount by 28.02.2018 in writing. The guarantee shall be valid till the proceedings are finalized. In the event of the petitioner not

adopting any proceedings by 31.03.2018, the respondents shall be entitled to invoke the bank guarantee. The respondents shall be entitled to interest upon the petitioner appearing before the officer concerned in person.

3. The writ petition is accordingly disposed of.

(S.J. VAZIFDAR)
CHIEF JUSTICE

(AVNEESH JHINGAN)
JUDGE

21.02.2018
Amodh

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