IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

WRIT PETITION NO. 10782 OF 2019

Adinath Agro Processed Foods Pvt. Ltd., .. Petitioner.
v/s.
The Chief Commissioner of Goods
and Services Tax (Central) &
Central Excise, Pune & Others .. Respondents.

Mr. P. V. Surte, for the Petitioner.
Mr. Karan Adik with Ms. Maya Majumdar, for the Respondents.

CORAM: M.S.SANKLECHA &
NITIN JAMDAR, JJ.
DATE : 15th NOVEMBER, 2019.

P.C:-

This Petition under Article 226 of the Constitution of India, challenges action of the Respondents in not re-opening the GSTN Portal and allowing the Petitioner to upload the requisite details of Transitional Credit available to it when the Central Goods & Services Tax Act, 2017 (CGST Act), was introduced. It is the case of the Petitioner that, they could not avail of the Transitional Credit available to it in view of technical glitches in filing online TRANS-1 under the CGST Act.

2 The Petitioner's have by its communication dated 4th June, 2019, requested the Respondent No.1- Commissioner,, CGST, Pune-II, for necessary permission to avail of the transitional credit available to it on 1st July, 2017.

3 Mr. Surte, learned Counsel in support of the Petition submits that, Respondents are obliged to open GSTN Portal in view of the decisions of the various Courts on identical facts.

4 Mr. Adik, learned Counsel appearing for the Respondents very fairly on instructions, states that, Respondent No.1 would pass an appropriate order on the Petitioner's application dated 4^{th} June, 2019, within a period of three weeks from today, after hearing the Petitioner.

5 The above statement on behalf of the Respondents take care of the Petitioner's grievance. Needless to state, the Petitioner would bring to the notice of the Commissioner, decisions of various Courts on which, it seeks to rely upon in support of its case at the hearing.

6 **Writ Petition disposed of** in the above terms.

(NITIN JAMDAR,J.) **(M.S.SANKLECHA,J.)**