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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SANJIV KUMAR SHARMA
2019.09.06 14:28
I attest to the accuracy and
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CWP-9901-2019

Date of decision : 4.9.2019

Sandeep Shekhawat and others

..... Petitioner (s)

Versus

State of Haryana and others

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE LALIT BATRA

Present:- Mr. Sandeep Kumar Yadav, Advocate
for petitioners.

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JASWANT SINGH, J (ORAL)

17-Petitioners claim themselves to be tenants of shops owned by Municipality Committee, Bawal since year 2007, vide different Rent Agreements, one of them has been appended as Annexure-P-2 Colly., which contains arbitration clause as well. The dispute raised is with regard to payment of element of service tax on the rented property for commercial purposes, which invites levy of service tax under Goods and Service Tax Act. Petitioners submit that it was for the landlord to specifically specify in rent agreements and having failed to do so, it cannot be recovered from petitioners.

Concededly, at this stage, only notices have been issued qua deposit of element of service tax for relevant period.

After arguing for some time, having failed to convince this Court to invoke writ jurisdiction, learned counsel for petitioners prays for permission to withdraw writ petition so as to enable his clients to avail proper remedy.

Dismissed as withdrawn with aforesaid liberty.

(JASWANT SINGH)
JUDGE

(LALIT BATRA)
JUDGE

4.9.2019
sks