IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P. (T) No. 4487 of 2017

Anamika Kumari .... Petitioner

Versus

Union of India & another . .... Respondents

CORAM: **Hon'ble Mr. Justice Aparesh Kumar Singh**
Hon'ble Mrs. Justice Anubha Rawat Choudhary

Through Video Conferencing

For the Petitioner : Mr. Ranjeet Kushwaha, Advocate
For the Respondent-CGST : Mr. Amit Kumar, Advocate

06/17.12.2020 Learned counsel, Mr. Ranjeet Kushwaha on instruction of learned counsel for the petitioner, Mr. Sumeet Gadodia seeks permission to withdraw the writ petition since adjudication order has been passed in this case during pendency of the writ petition. The petitioner would avail of the alternative remedy against it.

Mr. Amit Kumar, appears for the C.G.S.T upon revision of the panel of CBIC in place of Mr. Ratnesh Kumar erstwhile counsel.

Writ petitioner had approached this Court with the following reliefs:

(i) For issuance of an appropriate writ/order/direction, including Writ in the nature of Certiorari, for quashing the Demand-cum-Notice to Show Cause dated 09.12.2016/09.01.2017 (hereinafter referred to as 'Show Cause Notice') issued by Respondent-authorities especially because the said Show Cause Notice has been issued with pre-mediation with a pre-determined mind as the Respondents-authorities have already pre-judged the entire issue and the Show Cause Notice has been issued by way of mere formality as a camouflage to depict that the Respondents-authorities are acting in compliance to the principles of natural justice.

(ii) For issuance of further appropriate writ/order/direction, including Writ of Certiorari, for quashing/setting aside the Demand-cum-Notice to Show Cause dated 09.12.2016/09.01.2017 on the ground that the Respondents-authorities, in respect of service rendered by the petitioner to one M/s Madhusudan Builders and Developers Pvt. Ltd., are adopting two distinct contrary classifications, which is not permissible in the eye of law.

However, in view of the submissions, the instant writ petition is dismissed as withdrawn. Petitioner may have liberty to avail of the remedy against the adjudication order as is permissible in law.

(Aparesh Kumar Singh, J.)

(Anubha Rawat Choudhary, J.)

Jk