

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (C) No. 2392 of 2020

Subham Infrastructure Having Office At L-2, Vinoba Nagar, Near Amba Tower Bilaspur Chhattisgarh.

Through Its Partner Shri Uday Nath Jha, S/o Late Shri Sadanand Jha, Aged About 50 Years, R/o At L-2, Vinoba Nagar, Near Amba Tower Bilaspur Chhattisgarh.

---Petitioner(s)

Versus

- 1.** Union of India Through The General Manager, South East Central Railway Bilaspur Chhattisgarh.
- 2.** The Financial Advisor and Chief Accounts Officer South East Central Railway Bilaspur Chhattisgarh.
- 3.** Principal Chief Engineer South East Central Railway Bilaspur Chhattisgarh
- 4.** The Senior Divisional Engineer (Co. Ord.) South East Central Railway Nagpur Maharastra.
- 5.** The Senior Divisional Finance Manager South East Central Railway Nagpur Maharastra.
- 6.** The Senior Divisional Engineer (Central) South East Central Railway Nagpur Maharastra.

---Respondents

For Petitioner	:	Shri Abhishek Vinod Deshmukh, Advocate.
For Respondents	:	Shri Abhishek Sinha, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

16.10.2020

- 1.** The limited relief sought for by the petitioner in the present writ petition is for an appropriate direction to the respondents to consider the representation of the petitioner which he has made for reassessment/adjustment of the GST amount in terms of the circular of the respondent-Railways dated 28.02.2018 issued in the backdrop of the new GST law being introduced.
- 2.** The claim of the petitioner is in respect of the contract which was entered into prior to the introduction of the GST regime.
- 3.** Given the nature of relief sought for by the petitioner in the present writ petition, this court is of the opinion that the writ petition can be disposed of

at the admission stage directing the respondent No.4 to take a decision on the representation so filed by the petitioner in accordance with circulars governing the field at the earliest preferably within a period of 120 days from the date of receipt of copy of this order.

4. It is made clear that this court has not expressed any opinion on the merits of the claim of the petitioner. Any decision to be taken by the respondents would be purely in accordance with circulars governing the field.
5. The writ petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder