IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-17463-2020 (O&M)
Date of decision : 26.10.2020

M/s RK Enterprises

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN
HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Sandeep Goyal, Advocate,
for the petitioner.

Mr. Pankaj Gupta, Addl. AG., Punjab.

Mr. Saurabh Goel, Sr. Standing Counsel,
for respondent Nos.5 and 6.

JITENDRA CHAUHAN J. (ORAL)

The matter has been taken up through video-conferencing in the light of the pandemic COVID-19 situation and as per instructions.

This writ petition under Articles 226/227 of the Constitution of India has been filed for quashing of circular dated 13.04.2018 (Annexure P-1) issued by respondent No.6; quashing of notice in Form GST-MOV-10 dated 28.09.2020 (Annexure P-6); and for issuance of a direction to the respondents to release the goods on furnishing surety bonds.

Learned counsel for the petitioner states that the petitioner is ready and willing to deposit the entire amount of tax and penalty and all other dues pertaining to the goods and conveyance within a week from today and for the unpaid amount, he undertakes to furnish the bank guarantee.

Learned counsel for the respondents state that they have no objection in releasing the goods along with the vehicle, in case, the amount is deposited in pursuance of the undertaking made at Bar.

Let the amount be deposited within three weeks.

Learned counsel for the respondents states that on receipt of the amount/bank guarantee, they will release the goods and the conveyance within three days thereafter.

In view of the consensus reached between the parties, the instant petition is disposed of.

However, in case, the goods and the vehicle are not released despite the payment/bank guarantee being deposited in pursuance of the statement made, the petitioner shall be at liberty to revive the instant petition.

(JITENDRA CHAUHAN)
JUDGE

(VIVEK PURI)
JUDGE

26.10.2020
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No