

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

211

**CWP-21897-2019(O&M)
Date of Decision : 14.1.2020**

M/s. Jai Shiv Plywood Pvt Ltd

..... Petitioner

Versus

State of Haryana and others

..... Respondents

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI
: HON'BLE MR. JUTICE AVNEESH JHINGAN

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

Ms. Mamta Singla Talwar, DAG, Haryana.

AJAY TEWARI, J. (Oral)

1. This petition has been filed praying for quashing of the order dated 24.12.2018 (Annexure P-4) passed by respondent No.-3 i.e. First Appellate Authority dismissing the appeal for want of certified copy of order whereas the self certified photocopy of penalty order (Annexure P-2) issued and communicated by the Proper Officer levying tax and penalty enclosed with appeal.

2. Learned counsel for the petitioner has argued that statutory appeal was dismissed only on the ground that instead of filing of impugned order in original, photocopy of the impugned order was annexed. He states that he is in possession of original order and prays for permission to submit the same and then the appeal be heard on merits.

3. On the last date the following order was passed :-

“Counsel for the State is directed to seek instructions with regard to the hearing of the appeal filed by the petitioner in case the applicants now produce the original copy.

Adjourned to 14.1.2020.

4. Today, learned State counsel seeks more time to get instructions. In our opinion, this would be a waste of time and we therefore, direct that in case the petitioner files the impugned order in original before the Appellate Authority within one week, the Appellate Authority would recall the impugned order and give fresh order on merits as per law, after hearing both the parties.

5. Petition stands disposed of.

6. Since the main case has been disposed of, pending application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

(AVNEESH JHINGAN)
JUDGE

14.1.2020
anuradha

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No