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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 695/2020, CRL.M.A.No.5333/2020**

ORION SECURITY SOLUTIONS & ANR

..... Petitioners

Through : Mr. Vikas Pahwa, Sr Adv with Mr Jayant Mehta, Mr Sukant, Vikram, Mr Abhijit Mittal, Mr Joby P Varghese, Mr Anukalp Jain, Mr Kumar Shashwant, Mr Varun Bhati, Adv.s. Mr Maj Ashutosh Jha For MD Company.

versus

COMMISSIONER OF CGST DELHI EAST

..... Respondent

Through : Mr Harpreet Singh, Senior Standing Counsel with Mr Arunesh Sharma, Adv.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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16.03.2020

The learned counsel for the Department says as of today the total GST liability of the petitioner qua Delhi is about Rs. 11.5 crores and for PAN India's is Rs. 59.24 crores approximately. The learned senior counsel for the petitioner says there are 35,000 person on the rolls of the petitioner concern and its monthly expenditure bill runs to approximately Rs. 60.87 crores, hence freezing of its accounts is damaging the petitioner day by day. It is alleged the bona fide of the petitioner can be ascertained from the very fact that even while

its M.D. was in custody, the petitioner have been paying some or the other amount in the account of the respondent towards clearing its tax liability. It is also submitted Rs. 11.5 crores due includes a major chunk of interest.

The learned senior counsel for the petitioner urges qua the liability of Rs. 11.5 crores, an amount of Rs. 5.5 crores shall be deposited with the department within two days from the date of defreezing of its bank accounts and whereas the remaining liability, including of India shall be discharged within *120 working days* from today. Any default in making payment within *120 days* shall entail consequences under the CGST Act.

In the circumstances, on payment of Rs. 5.5 crores within two days from the date of defreezing of its all accounts, no coercive action be taken against the petitioner till it continue abiding by the undertaking given today. An undertaking be filed in the course of the day. This order shall be without prejudice to rights and contentions of both the parties on merits. Petition stands disposed of in terms of above.

Copy of this order be given *dasti* under signature of the Court Master to both the parties.

YOGESH KHANNA, J.

MARCH 16, 2020

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