

CWP No.15610 of 2021 (O&M)
Date of decision : 16.08.2021

Indus Towers Limited

..... Petitioner

versus

State of Haryana & ors.

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI
HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present : Mr. Amrinder Singh, Advocate for the petitioner.

AJAY TEWARI, J. (Oral)

By this petition the petitioner had made the following prayer :-

*“(i) A writ of mandamus or a writ in the nature of mandamus :-**a. Declaring Rule 86 A of the HGST Rules as illegal and arbitrary and also ultra vires the constitution; and/or**b. Declaring debit entries with Reference Nos.BL0607210000123 and BL0607210000143 both dated 30.07.2021 made by respondent No.2 as illegal and arbitrary**c. Directing respondent No.2 to reverse the debit entries with Reference Nos.BL0607210000123 and BL0607210000143 both dated 30.07.2021 as the said entry is illegal and arbitrary; and/or**(ii)A writ of certiorari or a writ in the nature of certiorari thereof for quashing notices dated 18.06.2021 (Annexure P-6) and 16.07.2021 (Annexure P-13 and Annexure P-14)**(iii)Any other writ which this Hon'ble Court deems appropriate.*

Counsel for the petitioner states that at this stage he does not want to press the prayer (a) because the account has been unblocked and therefore, the main petition has been rendered infructuous. However,

liberty is sought to raise objection against the assumption of jurisdiction by respondent No.2 with regard to the notices sent by him.

Notice of motion.

On the asking of the Court, Ms. Shruti Jain Goyal, DAG, Haryana accepts notice on behalf of the respondents and states that she has no objection to this course of action.

In the circumstances, the petition stands disposed of as having been rendered infructuous with liberty to the petitioner to raise the issue of jurisdiction before respondent No.2.

Since the main case has been decided, the pending Civil Misc. Application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

(GIRISH AGNIHOTRI)
JUDGE

16.08.2021

pooja sharma-I

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No