

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

CWP-22522-2020

Date of Decision: 12.3.2021

M/s Garg Overseas

..... Petitioner

Versus

The Commissioner of Customs and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Vikrant Kackria, Advocate, for the petitioner.
Mr. Sunish Bindlish, Advocate, for the respondents.

AJAY TEWARI, J. (ORAL)

On 3.3.2021, the following order was passed:-

“Learned counsel for the respondents has pointed out that the order, on the basis of which the refund is being sought, has been challenged by the respondents by filing a petition before the Tribunal, which has not been listed as yet.

Learned counsel for the petitioner has pointed out that there is no quorum for holding the proceedings by the Tribunal because of which the petition is not likely to be heard in near future. He further makes an offer that in case the revenue is to be secured, the petitioner is ready to furnish security for the refund amount, on which counsel for the respondents prays for a day's accommodation to seek instructions.

List on 04.03.2021.”

Today, Mr. Bindlish has informed the Court that in fact a Bench of CESTAT is going to be sitting in Chandigarh from 22.3.2021 to 26.3.2021 and the revenue has already moved an application for stay in view of the fact that the present writ petition is pending.

In these circumstances, we deem it appropriate to direct the Tribunal to decide the application of stay on any date in the sitting to be held from 22.3.2021 to 26.3.2021 after informing the parties about the date on which the case will be taken up.

The petition stands disposed of.

A copy of this order be handed over to learned counsel for the parties under the signatures of the Court Secretary.

(AJAY TEWARI)
JUDGE

(RAJESH BHARDWAJ)
JUDGE

12.3.2021
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Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No