

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

CWP-24217-2021

Date of decision: 03.12.2021

M/s. Varun Beverages Pvt. Ltd.

.... Petitioner

Versus

State of Haryana and others

.... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY TEWARI
HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Chetan Sood, Advocate with
Mr. Sandeep Goyal, Advocate
for the petitioner.

Ms. Shruti Jain Goyal, DAG, Haryana.

AJAY TEWARI, J (ORAL)

This petition has been filed against the order dated 21.05.2021 (Annexure P-10) of the Appellate Authority dismissing the appeal filed by the petitioner against the detention of the vehicle.

The primary ground taken before us is that in fact the goods were coming from one plant of the petitioner to the other plant and therefore there was no supply involved at all. However, learned counsel for the petitioner has very fairly stated that in the grounds of appeal it was depicted as if the goods were received from some other supplier. In this view of the matter, the argument that the Appellate Authority has erred cannot be accepted. However, if this factual error has crept in, we do not deem it appropriate to completely non-suit the petitioner.

In the circumstances, we set aside the order and direct the Appellate Authority to permit the petitioner to amend its grounds of appeal, re-hear and re-decide the matter, in accordance with law.

For this purpose the petitioner is directed to appear before the Appellate Authority on 09.12.2021 or any other date the Authority may direct alongwith amended grounds of appeal and thereafter the Appellate Authority is directed to decide the same on or before 31.12.2021.

Accordingly, the present petition stands disposed of with the above terms.

(AJAY TEWARI)
JUDGE

(PANKAJ JAIN)
JUDGE

03.12.2021
Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No