

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

118

CWP-20659-2022

Date of Decision: 12.09.2022

Sunil Kumar

....Petitioner

VERSUS

State of Haryana & ors.

....Respondents

CORAM:- HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Vikrant Rana, Advocate,
for the petitioner.

Mr. Vivek Chauhan, AAG, Haryana.

VINOD S. BHARDWAJ (Oral)

The instant petition seeks adjudication of the legal notice dated 06.01.2022 (Annexure P-1) sent by the petitioner to the respondents, wherein the petitioner has raised an issue of the illegal determination of the cess/tax and is claiming refund of such excess amount calculated by the respondents.

It is contended by learned counsel for the petitioner that the petitioner has purchased a car of make Mercedes Benz on 08.09.2021 and also purchased another car make KIA Sonet on 21.08.2021. The petitioner approached respondents No.2 and 3 for registration of the same. The said respondents charged excess tax under the head of GST, Cess and other taxes. The same was objected by the petitioner, however, as the entire process was time bound, he deposited the same under protest and without prejudice to his rights. He contends that the overcharged of the amount of

GST and Cess Tax on the road tax is totally contrary and that a legal notice

dated 06.01.2022 has already been sent by him to the respondents. Learned counsel submits that he would be satisfied in case the respondents are called upon to look into the aforesaid legal notice and to pass a reasoned order thereupon.

Notice of motion.

Mr. Vivek Chauhan, AAG, Haryana, accepts notice on behalf of the respondents and submits that he has no objection to the prayer being answered.

Accordingly, the present petition is disposed of with the consent of the parties directing respondent No.3 to consider the legal notice dated 06.01.2022 (Annexure P-1) and to pass a reasoned order thereupon after granting opportunity of hearing to the petitioner within a period of 3 months from the date of receipt of certified copy of this order.

12.09.2022
monika

(VINOD S. BHARDWAJ)
JUDGE

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