

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION***

WRIT PETITION NO. 5212 OF 2022

with

WRIT PETITION NO. 242 OF 2023

Dinesh s/o. Sahdev Maurya

... Petitioner

V/s.

The Union of India and Ors.

... Respondents

None for the Petitioner

Mr. Jitendra B. Mishra with Mr. Ram Ochani for Respondent Nos. 1 and 2

Mr. Himanshu Takke, AGP for Respondent Nos. 3 and 4

***CORAM : NITIN JAMDAR &
ABHAY AHUJA, JJ.***

DATE : 18 APRIL 2023

P.C. :-

None for the Petitioner again. On 17 March 2023, the following order was passed :-

“ None for the petitioner. As regards Writ Petition No.242 of 2023 is concerned, it arises from cancellation of Goods and Service Tax Registration of the Petitioner. In Writ Petition No.5212 of 2022 the Petitioner has sought direction for quashing the proceedings initiated

by Respondents No.2 and 3 and also sought for a declaration that provisions of Section 132(1)(b) of Central Goods & Services Act, 2017 are ultra vires. The learned Counsel for the Respondents placed before us an order dated 2 March 2023 passed in Writ Petition No.5403 of 2022 (Akshay Chabra vs. Union of India & Ors.) and Writ Petition (St.) No.5484 of 2021 (Sunil Kumar Jha vs. Union of India and Ors.) in respect of identical reliefs wherein it was found that the main relief was for quashing of the proceedings.

*2 In present Petition, the Petitioner has sought quashing of proceedings initiated under summons which the learned Counsel for the Respondents points out can result in arrest and detention of the Petitioner, and infact, the Petitioner has applied for anticipatory bail. Since none appears for the Petitioner, we defer the hearing of this Petition to **18 April 2023**.*

3 The Petitioner will examine the decision of the Division Bench of this court in Nagpur Cable Operators Association vs. Commissioner of Police, Nagpur which is referred to in the order dated 2 March 2023 and to decide the further course of action.”

2. The Writ Petition is dismissed for non-prosecution.

ABHAY AHUJA, J.

NITIN JAMDAR, J.