

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

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CWP-10591-2020 (O&M)
Date of decision:-14.03.2023

CONCORD HOSPITALITY PRIVATE LIMITED

.... Petitioner

VS

**COMMISSIONER CENTRAL GOODS AND SERVICES TAX
COMMISSIONERATE, JALANDHAR**

...Respondents

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI
HON'BLE MRS. JUSTICE MANISHA BATRA**

Present: Mr. Deepak Gupta, Advocate for the petitioner.

Mr. Anshuman Chopra, Senior Standing counsel with
Mr. Deepesh Kakkar, Advocate for the respondent.

Ritu Bahri, J. (Oral)

CM-955-CWP-2023

Application is allowed as prayed for.

Annexure P-10 is taken on record.

Main case

Learned counsel for the petitioner has referred to the RTI application and states that as per the information given by the department vide notification dated 23.12.2022, Annexure P-10, under the Right to Information Act, 2005, the department has informed that the orders whereby demand has been accepted by the department without assailing the same in appeal.

Perusal of the Page 11 of the abovesaid application reveals that all the orders mentioned at serial numbers 1, 2, 3, 4, 5 and 6 have been accepted and information has been given to the petitioner that no demand has been made against these companies after accepting these orders in original. The petitioner is claiming parity as the department is not disputing the above said facts as per the information under Right to Information Act, 2005, Annexure P-10.

Keeping in view the information, Annexure P-10, the present writ petition is being allowed. Order, Annexure P-5, dated 18.05.2020 whereby demand of Rs.2,05,73,213/- has been imposed, is set aside. The matter is remanded back to the competent authority/respondent to pass a fresh order keeping in view the information given under RTI, Annexure P-10, which the petitioner has placed on record by way of above said application.

(RITU BAHRI)
JUDGE

(MANISHA BATRA)
JUDGE

14.03.2023

pooja saini

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No