

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

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WRIT PETITION NO.9626 OF 2024

Sheshnath Adyaprasad Singh

....Petitioner

V/s.

Union of India

...Respondent

Ms. Rutuja Pawar for petitioner.

Mr. Karan Adik a/w Ms. Sangeeta Yadav for respondent.

**CORAM : K.R. SHRIRAM &
JITENDRA JAIN, JJ.
DATE : 15th JULY 2024**

P.C. :

1 Though various grounds have been raised in petition, according to petitioner, the impugned order has been passed without giving an opportunity to the petitioner to even reply to the show cause notice.

2. Ms. Pawar submitted that by a letter dated 3rd October 2023 delivered on 5th October 2023, petitioner had requested for returning the documents/files containing purchase invoices that were handed over to respondents vide letter dated 9th July 2019. Ms. Pawar states that petitioner never received any reply to this letter dated 3rd October 2023 and consequently, none of the documents were made available due to which petitioner was not able to reply to the show cause notice.

3 Mr. Adik relies on undated letters from respondents to petitioner issued some time in February 2024 and March 2024 to state that respondents have not received any document referred to in petitioner's letter dated 9th July 2019. Ms. Pawar states that the signature on the letter dated 9th July 2019 is of one Mr. Yadav, the Inspector.

4 When we informed Mr. Adik why respondents have not promptly replied to petitioner's letter dated 3rd October 2023 and waited till February or March 2024 to reply, Mr. Adik requests the matter be stood over to enable him to personally enquire into the matter and try to find a solution.

5 Stand over to 5th August 2024.

6 Until 31st August 2024, there shall be ad-interim stay in terms of prayer clause (d) which reads as under :

“(d) Pending admission and final hearing of this Petition this Hon'ble court be please to by way of ad interim and/or interim relief stay the operation, implementation and recovery under the impugned Order-In-Original No. PUN- CGST-001/JC-GS-03/24-25 dtd. 25.04.2024.”

(JITENDRA JAIN, J.)

(K.R. SHRIRAM, J.)