



CWP-31391-2024(O&amp;M)

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

**CWP-31391-2024(O&M)**  
**Date of Decision: 21.11.2024**

M/s Himgiri Herbs

. . . . Petitioner

**Vs.**

Union of India and others

. . . . Respondents

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**CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA**  
**HON'BLE MR. JUSTICE SANJAY VASHISTH**

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Present: Ms. Ambika Jindal, Advocate for the petitioner.

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**SANJEEV PRAKASH SHARMA, J.(Oral)**

1. Notice of motion.
2. Mr. Saurabh Goel, Sr. Standing Counsel accepts notice on behalf of respondents No. 1,3 and 4, while Ms. Mamta Singla Talwar, DAG, Haryana accepts notice on behalf of respondent No.2.
3. The only ground on which appeal of the petitioner was rejected was failure to provide the self certified copy of the order against which appeal was filed. In the opinion of this Court, such appeal can only be treated as defected and could not have been dismissed. Opportunity ought to have been given to the appellant (petitioner herein), to remove the defect.

Learned Counsel for the respondents are present and we appreciate their stand stating that if the petitioner submits a self certified copy of the against which appeal is filed, the appeal shall be decided on merits.

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3. We accordingly allow the present writ petition and set aside the order dated 01.10.2024 (P-5) passed by the Additional Commissioner, CGST Appeals, Panchkula, dismissing the appeal on the ground of non submission of self certified copy of the order. We also further direct the petitioner to file a self certified copy of the order appeal against before the Appellate Authority within a period of 15 days henceforth. If such self certified copy of the order is filed by the appellant, the appeal shall be restored and shall be decided on merits by the Appellate Authority expeditiously preferably within a period of 2 months therefrom.

4. All pending applications also stand disposed of accordingly.

**(SANJEEV PRAKASH SHARMA)**  
**JUDGE**

**(SANJAY VASHISTH)**  
**JUDGE**

**November 21, 2024***rashmi*

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

***Yes/No***  
***Yes/No***