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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 12425/2025 & CM APPL. 50654/2025**

MS FUJITSU INDIA PRIVATE LIMITED

.....Petitioner

Through: Mr. Omkar and Ms. Anishka Gupta,
Advs.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Sangita Malhotra, SPC with Ms.
Pallavi Talwar, Adv. for R-1.
Mr. Shashank Sharma, SSC for R-3.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

ORDER

% **25.08.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner under Articles 226 and 227 of the Constitution of India, *inter alia*, challenging the Order-in-Original dated 23rd May, 2025 passed by the Additional Commissioner of CGST, Delhi East.
3. According to Id. Counsel for Petitioner, there has been substantial delay in adjudication, as the Show Cause Notice leading to the impugned order dates back to 2012 and more than 13 years have passed.
4. The Id. Counsel for the Petitioner relies upon the decision of this Court in **W.P. (C) 4831/2021** titled **M/s VOS Technologies India Pvt. Ltd. v. The Principal Additional Director General & Anr.**
5. Mr. Shashank Sharma, Id. SSC relies upon the fact that the decision in **VOS Technologies (Supra)** is subject matter of a pending petition before the



Supreme Court.

6. Heard. The decision in **VOS Technologies (Supra)**, is now under challenge before the Supreme Court in **SLP(C) No.5392/2025** titled **Union of India v. GMR Airport Infrastructure Ltd.** and the order dated 2nd May, 2025, in the said SLP reads as under:

- “1. This matter has come up today for hearing the parties on interim relief.*
- 2. Notice in the main matter had already been issued on 7-3-2025.*
- 3. We take notice of the fact that the High Court by way of its impugned judgment and order disposed of hundreds of petitions.*
- 4. One of the matters has come up before us.*
- 5. It is difficult to hear the Revenue on interim relief in the absence of other assesses before us.*
- 6. We request Mr. N. Venkataraman, the learned Additional Solicitor General to see that the other Special Leave Petitions also come up before us at the earliest so that we can issue notice in all the matters.*
- 7. According to Mr. N. Venkataraman, the impugned judgment and order passed by the High Court of Delhi needs to be suspended from its operation as the same is creating lot of problems for the Revenue.*
- 8. He pointed out that almost 250 matters came to be disposed of by the Tribunal following the judgment of the High Court of Delhi.*
- 9. Since we are looking into the larger issues involved in this matter, we may only say that if any matter comes up for hearing before the Tribunal or any of the High Courts on the subject in question, the hearing may be deferred till we take an appropriate call in the matter.*
- 10. List the matter after Summer Vacation.”*

7. In view of the said order, the hearing of this matter is deferred. In the meantime, no coercive action shall be taken against the Petitioner.



8. List on 24th September, 2025.

PRATHIBA M. SINGH, J.

SHAIL JAIN, J.

AUGUST 25, 2025/dk/sh/ck