

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Writ Petition No. 2209/2023

M/s Abhishek Industries

-----Petitioner

Versus

Chief Commissioner Of State Tax & Ors.

-----Respondents

For Petitioner(s) : Mr. Avinash Poddar, Advocate
(through VC)

For Respondent(s) : None present

HON'BLE THE ACTING CHIEF JUSTICE MR. MANINDRA MOHAN SHRIVASTAVA
HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

09/03/2023

None has appeared for the respondents.

No reply has been filed till date.

Learned counsel for the petitioner would submit that even though, the petitioner has already paid the tax amount, a notice has been issued on 23.01.2023 initiating recovery proceedings.

Allegation against the petitioner was that the petitioner is not discharging the liability for payment of interest and penalty of approximately Rs.58 lakhs. It is however argued that petitioner has only prayed for some time from the authorities.

Considering the submission of learned counsel for the petitioner and also considering that there is no representation from the respondents and no reply has been filed, we are of the opinion that in case the petitioner submits an undertaking within 10 days from today before the concerned authority for payment of entire amount of interest and penalty within a period of 30 days,



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no coercive action towards recovery shall be taken against the petitioner pursuant to notice dated 23.01.2023.

List this case after four weeks.

(ANIL KUMAR UPMAN),J (MANINDRA MOHAN SHRIVASTAVA),ACTING CJ

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