HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HONOURABLE SMT JUSTICE RENUKA YARA

WRIT PETITION NO: 2976 OF 2025

Between:

M/s.Taiyo Nippon Sanso India Private Limited, represented by its Sr. Manager-Legal Mr.Abhijit Chandrakant Morey 70/E, 70/E2, Chilkepally Road, NH9, Digwal, Kohir Mandal, Sangareddy District, Telangana-502321

...PETITIONER

AND

1. The Additional Commissioner Appeals-II, Hyderabad Commissionerate, 7th Floor, GST Bhavan, L.B. Stadium Road, Basheerbagh, Hyderabad-500004.
2. The Commissioner of Customs and Central Tax, Secunderabad GST Commissionerate, 7th Floor, GST Bhavan, L.B. Stadium Road, Basheerbagh, Hyderabad-500004.
3. The Assistant Commissioner of Central Tax, Sangareddy CGST Division, Medchal CGST Commissionerate, Plot No. 328, SSR Arcade, Mathrusri Nagar, Miyapur, Hyderabad-500049.
4. State of Telangana, Represented by the Principal secretary, Revenue Department (State Tax) Secretariat, Hyderabad 500004
5. Union of India, Ministry of Finance, Represented by its Secretary, North Block, New Delhi 110001

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or direction particularly one in the nature of a Writ of Mandamus or any other appropriate writ declaring Order-in-Appeal No. HYD-GST-MD-APP2-329/2024-25-GST dated 30/09/2024 passed by the Respondent No.1 as illegal, without any reasons, in violation of principles of natural justice, as

erroneous, passed without jurisdiction, arbitrary, and mandatory procedure prescribed under law or to issue any other appropriate Writ or order.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay recovery of (i) Interest on Rs.67,70,285/-, (ii) Interest on Rs.40,188/-(iii) Interest on Rs.26,557/-, (iv) Interest of Rs.4,03,105/- for late payment of tax by late filing of GSTR-3B returns, (v) Late Fee of Rs.6,680/-, (vi) Penalty of Rs.6,77,029/-(CGST), (vii) Penalty of Rs.10,000 (SGST), (viii) Penalty of Rs.20,000/-(IGST) and any other coercive steps pursuant to the impugned Order-in-Appeal No.HYD-GST-MD-APP2-329/2024-25-GST dated 30.09.2024.

Counsel for the Petitioner: SRI G. PRAHLAD, REPRESENTING SRI KARAN TALWAR

Counsel for the Respondent Nos.1 to 3: SRI DOMINIC FERNANDES (senior standing counsel for CBIC)

Counsel for the Respondent No.4: GP FOR STATE TAX

Counsel for the Respondent No.5: SRI GADI PRAVEEN KUMAR, DEPUTY SOLICITOR GENERAL OF INDIA

The Court made the following: ORDER

THE HON'BLE THE ACTING CHIEF JUSTICE SUJOY PAUL
AND
THE HON'BLE SMT. JUSTICE RENUKA YARA

WRIT PETITION No.2976 of 2025

ORDER: *(Per the Hon'ble the Acting Chief Justice Sujoy Paul)*

Sri G.Prahlad, learned counsel representing Sri Karan Talwar, learned counsel for the petitioner and Sri Dominic Fernandes, learned Senior Standing Counsel for CBIC, for respondents No.1 to 3

2. Learned counsel for the petitioner seeks to withdraw the writ petition with the liberty to the petitioner to file afresh, if occasion so arises.

3. The other side has no objection.

4. Accordingly, the writ petition is dismissed as withdrawn with the liberty prayed for. No order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

SD/-L.LAKSHMI BABU
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,
1. One CC to Sri Karan Talwar, Advocate [OPUC]
2. One CC to Sri Dominic Fernandes (senior standing counsel for CBIC) [OPUC]
3. Two CC to The GP for State Tax, High Court for the State of Telangana, at Hyderabad[OUT]
4. One CC to Sri Gadi Praveen Kumar, Deputy Solicitor General of India[OPUC]
5. Two CD Copies

T J
LS

HIGH COURT

DATED:01/04/2025

ORDER

WP.No.2976 of 2025



DISMISSIGN THE WRIT PETITION AS WITHDRAWN WITHOUT COSTS

10/4/25
M.T