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

THURSDAY, THE TWENTIETH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

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

WRIT PETITION NO: 1370 OF 2025

Between:

M/s. Munna India Erectors, Rep. by its Proprietor, Rakesh Prasad Gupta, 6-086/48P, Veeraswamy Nagar, IDA Jeedimetla, Quthbullapur, Medchal-Malkajgiri District, TS - 500 055.

...PETITIONER

AND

1. The Assistant Commissioner (ST), Balanagar Circle, Hyderabad Rural Division, Hyderabad, Telangana.
2. The Commissioner of State Taxes, State of Telangana, Commercial Taxes Complex, M.J. Road, Opposite Gandhi Bhavan, Nampally, Hyderabad - 500 001.
3. State of Telangana, Represented by its Principal Secretary to Government, Revenue (CT- II) Department, Secretariat, Hyderabad.

...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 of Mandamus or any other appropriate Writ, Order or Direction declaring that the order u/s 73 of the Goods and Services Tax Act, 2017, Summary of the Order in Form GST DRC-07, and Attachment to Form GST DRC-07, all dated 29/08/2024, and passed by the 1st Respondent, vide Reference No.-ZD360844134032O, under the provisions of the Telangana Goods and Services Tax Act, 2017 and Central Goods and Services Tax Act, 2017, for the tax period 2019 - 20, as uploaded in the GST web portal, as arbitrary, bad and non-est in law, barred by limitation, without jurisdiction, vague and without any valid reasons

and contrary to the principles of natural justice and also contrary to Articles 14 and 265 of the Constitution of India.

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 all further proceedings, including any recovery, pursuant to order u/s 73 of the Goods and Services Tax Act, 2017, Summary of the Order in Form GST DRC-07, and Attachment to Form GST DRC-07, all dated 29/08/2024, and passed by the 1st Respondent, vide Reference No.- ZD360824413403 2O, under the provisions of the Telangana Goods and Services Tax Act, 2017 and Central Goods and Services Tax Act, 2017, for the tax period 2019 - 20, pending disposal of the above Writ Petition.

Counsel for the Petitioner: SRI A.V.A. SIVA KARTIKEYA

Counsel for the Respondents: SRI T. CHAITANYA KIRAN, REPRESENTING SRI SWAROOP OORILLA SPECIAL GOVT PLEADER FOR STATE TAX

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.1370 of 2025

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

Sri A.V.A.Siva Kartikeya, learned counsel for the petitioner and Sri T.Chaitanya Kiran, learned counsel representing Sri Swaroop Oorilla, learned Special Government Pleader for State Tax, for the respondents.

2. Learned counsel for the petitioner, after arguing for some time, seeks withdrawal of this petition with the liberty to file an appeal.

3. Prayer is allowed.

4. Accordingly, this Writ Petition is dismissed as withdrawn, with the liberty prayed for. If the appeal is preferred within (15) days from today, the appellate authority shall consider and decide it in accordance with law and it shall not dismiss the appeal on the ground of delay. No costs.

Interlocutory applications, if any pending, shall also stand closed.

SD/- K. AMMAJI
ASSISTANT REGISTRAR

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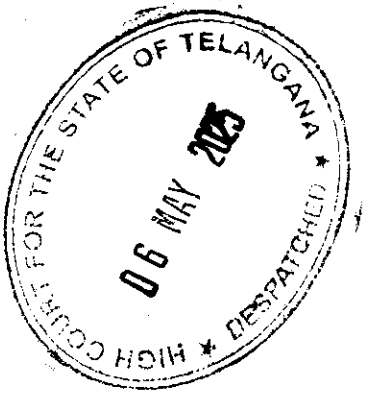
SECTION OFFICER

To,
1. One CC to Sri A.V.S. Siva Kartikeya, Advocate [OPUC]
2. Two CC to The Special GP for the State Tax, High Court for the State of Telangana, at Hyderabad[OUT]
3. Two CD Copies

T J
GJP

HIGH COURT

DATED:20/02/2025



ORDER

WP.No.1370 of 2025

DISMISSING THE WRIT PETITION AS WITHDRAWN WITHOUT COSTS

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