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

THURSDAY, THE TWENTY FOURTH 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: 12237 OF 2025

Between:

M/s. Gopal Electricals, rep. by its Proprietor, Mr. Krishna Kumar Asawa, 7-1-467/1, Opp Gurudwara Saheb, Ameerpet, Hyderabad, Telangana-500 016.

...PETITIONER

AND

1. Assistant Commissioner (State Tax), Punjagutta-I, Punjagutta Division.
2. State of Telangana, rep. by its Chief Secretary, and Special Chief Secretary to Government (FAC), State Tax Department, Secretariat, Hyderabad.
3. Union of India, rep. by its Secretary, Ministry of Finance, Government of India, 3rd Floor, Jeevan Deep Building, Sansad Marg, New Delhi-110 001.

...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 or order or direction declaring the show cause notice dated 31.5.2022, adjudication order dated 30.12.2023 along with Form GST DRC-07 vide Ref.No.ZD 361223073426G dated 30.12.2023 passed by the 1st Respondent for the tax period 2017-18 under Section 73 of the CGST and SGST Act as being a nullity and non-est in law on account of not having any signatures on them and also contrary to Rule 142(1A) of CGST Rules, 2017 for not issuing Form GST DRC-01A.

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 grant stay of all further proceedings pursuant to the impugned order. dated 30.12.2023

and proceedings in Form GST DRC-07 in Ref.No.ZD361223073426G dated 30.12.2023 passed by the 1st Respondent for the tax period 2017-18, pending disposal of the Writ Petition as otherwise the Petitioner will be put to severe loss and hardship.

Counsel for the Petitioner: SRI AITHARAJU VENKATESHWARLU
Counsel for the Respondent Nos.1 & 2: GP FOR STATE TAX
Counsel for the Respondent No.3: SRI GADI PRAVEEN KUMAR, Dy. 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.12237 of 2025

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

Sri Aitharaju Venkateshwarlu, learned counsel for the petitioner, seeks permission of this Court to withdraw the writ petition with liberty to the petitioner to file a properly constituted petition.

2. The other side has no objection.

3. Accordingly, this Writ Petition is **dismissed as withdrawn** with liberty prayed for. No costs.

Miscellaneous petitions pending, if any, shall stand closed.

SD/-P. CH. NAGABHUSHAMBA
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. One CC to SRI AITHARAJU VENKATESHWARLU, Advocate [OPUC]
2. Two CCs to GP FOR STATE TAX, High Court for the State of Telangana, at Hyderabad. [OUT]
3. One CC to SRI GADI PRAVEEN KUMAR, Dy. SOLICITOR GENERAL OF INDIA [OPUC]
4. Two CD Copies

PSK.
LS

HIGH COURT

DATED:24/04/2025

ORDER

WP.No.12237 of 2025



DISMISSING THE WRIT PETITION AS WITHDRAWN WITHOUT COSTS

01/5/2025