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

THURSDAY, THE FIRST DAY OF MAY
TWO THOUSAND AND TWENTY FIVE

PRESENT

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

I.A.No. 3 OF 2025
IN
WRIT PETITION NO: 1967 OF 2025

Between:

M/s. R. Vidyasagar Rao, represented by its Managing Partner, Mr. Ramadugu Anil, having its Office at 17th Floor, Flat No. 1703, Meenakshi Trident Apartments, Gachibowli, Hyderabad, Ranga Reddy, Telangana - 500032.

...PETITIONER

AND

1. The Joint Commissioner of Central Tax, Ranga Reddy GST Commissionerate, GST Bhavan, H.No.1-98/7143, VIP Hills, Jaihind Enclave, Madhapur, Hyderabad - 500081
2. The Principal Commissioner of Central Tax, Ranga Reddy GST Commissionerate, GST Bhavan, H.No.1-98/7/43, VIP Hills, Jaihind Enclave, Madhapur, Hyderabad - 500081
3. State of Telangana, represented by the Principal Secretary, Revenue Department (State Tax) Secretariat, Hyderabad - 500004
4. Union of India, Ministry of Finance, Represented by its Secretary, North Block, New Delhi - 110001

...RESPONDENTS

Petition under Section 152a R/w.151 of CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to modify the order dated 23-04-2025 in W.P.No.1967 of 2025, by permitting the Petitioner to withdraw the Writ petition with liberty to file a fresh writ petition if the application of the petitioner to avail the waiver scheme under Section 128A of the CGST Act is not accepted for any reason or if the Petitioner is made to pay the penalty and interest for other assessment years by application of Rule

164(17) of the CGST Rules, as a pre-condition for considering its application for waiver for FY 2019-20.

This petition coming on for hearing, upon perusing the petition and affidavit filed in support thereof and upon hearing the arguments of SRI MOHAMMED OMER FAROOQ, appearing on behalf of Petitioner, SRI DOMINIC FERNANDES, Sr.SC FOR CBIC on behalf of the Respondents No.1&2, SRI SWAROOP OORILLA, SPECIAL G.P. FOR STATE TAX appearing for the Respondent No.3, SRI GADI PRAVEEN KUMAR, (Deputy Solicitor General of India), on behalf of the Respondent No.4, the Court made the following: **ORDER**

Parties through their Counsel.

Heard.

Through this application modification is prayed for in the order dated 23.04.2025 to the extent that the writ petition may be permitted to be withdrawn with liberty to file afresh, if the petitioner's grievance is not redressed at the level of the Department.

The innocuous modification prayed for is allowed. The previous order dated 23.04.2025 stands modified.

Accordingly, this Application is allowed.

SD/- K. AMMAJI

DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri Mohammed Omer Farooq, Advocate [OPUC]
2. One CC to SRI GADI PRAVEEN KUMAR, (Deputy Solicitor General of India), High Court for the State of Telangana at Hyderabad. [OPUC]
3. One CC to SRI SWAROOP OORILLA, SPL.G.P for State Tax. [OPUC]
4. One CC to SRI DOMINIC FERNANDES, Senior Standing Counsel for CBIC. [OPUC]
5. Two CD Copies.

BSK
GJP

HIGH COURT

DATED:23/04/2025



ORDER

I.A.No.3 OF 2025
IN
WP.No.1967 of 2025

ORDERING THE I.A