

Court On Its Own Motion vs The Chief Commissioner Central Excise & ... on 21 March, 2018

Author: Hima Kohli

Bench: Hima Kohli, Pratibha Rani

\$~1, 19 to 21

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CONT.CAS(C) 1/2018

COURT ON ITS OWN MOTION

..... Petitioner

versus

THE CHIEF COMMISSIONER CENTRAL

EXCISE & SERVICE TAX, RANCHI ZONE & ORS..... Respondents

Through: Mr.Arun Bhardwaj, CGSC with
Mr.Ranjit Kumar, Commissioner

AND

+ W.P.(C) 6178/2017 & CM No.25693/2017 (Stay)

UNION OF INDIA AND ORS

..... Petitioners

Through: Mr.Arun Bhardwaj, CGSC with
Mr.Ranjit Kumar, Commissioner

versus

JAGDISH PRASAD SINGH

..... Respondent

Through: Mr.A.K.Behura & Mr.M.P.Dixit,
Advocates

AND

+ W.P.(C) 6179/2017 & CM No.25695/2017 (Stay)

UNION OF INDIA AND ORS

..... Petitioners

Through: Mr.Arun Bhardwaj, CGSC with
Mr.Ranjit Kumar, Commissioner

versus

RAMJEET KUMARI

..... Respondent

Through: Mr.A.K.Behura & Mr.M.P.Dixit,
Advocates

CONT.CAS(C) 1/2018, W.P.(C) Nos.6178/2017, 6179/2017 & 6216/2017

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AND

+ W.P.(C) 6216/2017 & CM No.25833/2017 (Stay)

UNION OF INDIA & ORS

..... Petitioners

Through:

Mr.Arun Bhardwaj, CGSC with
Mr.Ranjit Kumar, Commissioner
versus

RAJEEV KAPOOR

..... Respondent

Through:

Mr.A.K.Behura & Mr.M.P.Dixit,
Advocates

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% 21.03.2018

1. Mr.Arun Bhardwaj, CGSC for Union of India states that the affidavit of Sh.S.N.Singh, working on the post of Chief Commissioner, CGST & CX, Ranchi Zone, Patna and that of Sh.Ranjit Kumar, working on the post of Commissioner, Central Goods and Services Tax & Central Excise, Patna have been filed in reply to the notice to show cause dated 08.12.2017.

2. On enquiring from the learned counsel as to whether the aforesaid officers were the ones who took a decision to file the present petitions after making compliance of the impugned judgment passed by the Tribunal, he states that Sh.S.N.Singh, the Chief Commissioner was on the same post at the time of filing the writ petition in May, 2017 but the officer, who was on the post of Commissioner, Central Goods and Services Tax & Central Excise, Patna at that point in time, was Sh.P.K.Katiyar, who is presently posted as an Additional Director General at the Training Academy of the CBEC at Kanpur.

3. It is directed that the aforesaid officer, namely, Sh.P.K.Katiyar, the then Commissioner, Central Goods and Services Tax & Central Excise, Patna shall file an affidavit in response to the notice to show cause dated 08.12.2017. Further, Sh.Satyajit Singh, the then Commissioner, Central Goods and Services Tax & Central Excise, Patna shall also file an affidavit within four weeks with a copy to the other side.

4. Learned counsel for the petitioner shall keep the relevant records relating to the present cases available on the next date of hearing.

5. List on 28.08.2018.

6. Interim orders to continue till the next date of hearing.

HIMA KOHLI, J.

PRATIBHA RANI, J.

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