

PROBO MEDIA TECHNOLOGIES PRIVATE LIMITED V/S UNION OF INDIA AND OTHERS

Present: Mr. Tarun Gulati, Sr. Advocate with
Mr. Sudipta Bhattacharjee, Mr. Rana Gurtej Singh, Advocates
for the petitioner.

Learned counsel for the petitioner has referred to the judgment dated 29.09.2021 passed by this Court in CWP-18780-2021 titled as *Witzeal Technologies Pvt. Ltd. vs. Union of India and Ors.*, where on a statement given by the State counsel, the matter was disposed of keeping in view the assurance that the empowered Group of Ministers was investigating the matter and they would take necessary steps only when clarification comes.

Learned counsel for the petitioner states that till date no clarification has been given by the Group of Ministers, who are examining this issue on the question whether the skill games which are being facilitated by the petitioner are to be charged as a game of chance at 28% on the entire bet value.

Learned counsel for the petitioner states that on platform fees, they have already paid GST @ 18%.

Notice of motion.

Mr. Rishabh Kapoor, Sr. Standing Counsel accepts notice on behalf of respondents No. 1 and 4 and Mr. Sharan Sethi, Addl. A.G., Haryana. accepts notice on behalf of respondents No. 1 and 2.

Learned counsel for the respondents will inform this Court about the stage of the investigation.

Learned counsel for the petitioner contested that 18% GST has been paid on the total turn-over i.e Rs.86 crore in two years. The attachment made of Rs.97.95 crore approximately.

Keeping in view the order dated 29.09.2021 passed in CWP-18780-2021, where the State counsel has made a statement that they will not initiate any coercive step against the petitioner, in the present case also, no coercive steps will be taken for recovery of the amount demanded as per the show cause notice dated 19.05.2023 (Annexure P-1) and 50% of the attached amount should be defreezed so that the petitioner-company can carry out its day to day working.

Adjourned to 17.08.2023.

(RITU BAHRI)
JUDGE

(MANISHA BATRA)
JUDGE

May 25, 2023

Jyoti-IV