

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p data-bbox="694 353 949 383"><u>WPMS No. 2912 of 2021</u></p> <p data-bbox="694 389 1273 427"><u>Shri Sanjaya Kumar Mishra, ACJ.</u></p> <p data-bbox="694 439 1158 477"><u>Shri Alok Kumar Verma, J.</u></p> <p data-bbox="694 528 1520 611">Shri Akash Deep Singh, learned counsel for the petitioner.</p> <p data-bbox="694 618 1520 745">Shri Pradeep Joshi, learned Standing Counsel for the State of Uttarakhand / respondent no. 1 and 2.</p> <p data-bbox="694 757 1520 884">Shri V.K. Kaparwan, learned Standing Counsel for the Union of India / respondent no. 3.</p> <p data-bbox="694 896 1520 1070">There is no need to issue formal notice to the respondents, as their counsel have already put their appearance on their behalf. They have also received the copy of the brief.</p> <p data-bbox="694 1081 1520 1350">In this writ petition, the petitioner has prayed to issue a writ of Certiorari quashing the impugned order dated 25.10.2021 and also to issue a writ of Mandamus commanding the respondent not. 2 not to take any action against the petitioner regarding the impugned order.</p> <p data-bbox="694 1361 1520 1675">Learned counsel for the petitioner has made elaborate arguments. He has drawn our attention to the order dated 21.01.2020 passed by the Division Bench of the Delhi High Court in W.P. (C) No. 627 of 2020 (M/s Pitambra Books Pvt. Ltd Vs. Union of India and others) wherein the following order has been passed:</p> <p data-bbox="778 1686 1520 2033"><i>“13. Having regard to the aforementioned circumstances, till the next date of hearing, we stay the rigour of paragraph 8 of the Circular No. 125/44//2019-GST dated 18.11.2019 and also direct the respondents to either open the online portal so as to enable the petitioner to file tax refund electronically, or to accept the same manually within four weeks from today.”</i></p>

In that view of the matter, in the interregnum, it is directed that till the next date of hearing, we stay the effect and operation of impugned order dated 25.10.2021 and the rigour of paragraph 8 of the Circular No. 125/44//2019 dated 18.11.2019.

List on 10.03.2022.

Stay application no. 1 of 2021 stands disposed of accordingly.

(A.K. Verma, J.) (S.K. Mishra, ACJ.)

06.01.2022

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