

CWP No. 1519 of 2017.

24.7.2017: Present: Mr. K.D.Sood, Sr. Advocate with Mr. Ankit Aggarwal, Advocate, for the petitioner.

Mr. D.S.Nainta, Addl. AG with Mr. Virender Verma, Addl. AG for the respondents.

CMP No. 5355 of 2017.

The application has become infructuous. The same is accordingly disposed of.

CMP No. 5357 of 2017.

The application for the reasons stated therein is allowed, however, page Nos. 32 and 33 of the writ petition be replaced with typed copies thereof. The application is disposed of.

CWP No. 1519 of 2017 & CMP No. 5356 of 2017.

Notice. Mr. Virender Verma, Addl. Advocate General, appears and accepts notice on behalf of the respondents. Reply be filed within four weeks. Rejoinder, if any, be filed within three weeks thereafter. List on 28.8.2017.

In the interim, the recovery of the outstanding amount i.e. Rs. 1,45,16,180/- has been sought to be stayed. Although, the total amount due and payable by the petitioner was Rs. 1,93,66,180/-, on deposit of a sum of Rs. 48,50,000/-, an amount of Rs. 1,45,16,180/- is still due and payable by her to the Government. The amount in question has been calculated after affording her due opportunity of being heard, therefore, the prayer made in the interim to stay the execution of the impugned order should have been declined as in financial matters where the government money is involved the Court must be slow in passing interim order, however, keeping in view the submissions,

persuasive in nature, made by learned counsel for the petitioner and also that a Co-ordinate Bench of this Court has ordered to stay the operation of a similar order subject to the deposit of 11% of the total amount of penalty imposed upon the petitioner in CWP No. 3711 of 2015, a similarly situated person, the operation of the impugned notice Annexure(s) P-1, P-9 and the order Annexure P-11 in this Writ Petition shall also remain stayed subject to the deposit of 11% of the outstanding amount i.e. Rs. 1,45,16,180/- by the petitioner within a period of six weeks.

Be listed on the date fixed with CWP No. 3711 of 2015.

Copy **Dasti**.

(Dharam Chand Chaudhary),
Judge

July 24, 2017.
(karan)

(Vivek Singh Thakur),
Judge