

ITEM NO.1 Court 3 (Video Conferencing)

SECTION II-A

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 4634/2014

(Arising out of impugned final judgment and order dated 30-04-2014 in CRLA No. 1132/2012 passed by the High Court Of Judicature At Bombay)

VIJAY MADANLAL CHOUDHARY &amp; ORS.

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

([FOR DIRECTIONS][ONLY CONNECTED MATTER I.E. WP(CRL.) NO. 301/2021, SLP(C) No. 12468/2021 AND SLP(Crl) No. 4835-4836/2021 IS LISTED BEFORE HON'BLE COURT.] )

WITH

SLP(Crl) No. 4835-4836/2021 (II-B)

IA No. 77267/2021 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 77266/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 77268/2021 - EXEMPTION FROM FILING O.T.)

W.P.(Crl.) No. 301/2021 (X)

(FOR

FOR EX-PARTE STAY ON IA 83801/2021

FOR EXEMPTION FROM FILING O.T. ON IA 83803/2021

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 91203/2021

FOR EXEMPTION FROM FILING O.T. ON IA 91205/2021

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 111071/2021

FOR EXEMPTION FROM FILING O.T. ON IA 111073/2021

IA No. 83801/2021 - EX-PARTE STAY

IA No. 111073/2021 - EXEMPTION FROM FILING O.T.

IA No. 91205/2021 - EXEMPTION FROM FILING O.T.

IA No. 83803/2021 - EXEMPTION FROM FILING O.T.

IA No. 111071/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 91203/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

SLP(C) No. 12468/2021 (III)

(FOR

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA 97592/2021 FOR PERMISSION TO FILE ADDITIONAL

DOCUMENTS/FACTS/ANNEXURES

112261/2021-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS

IA No. 97592/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED

**JUDGMENT**

IA No. 112261/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 97599/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 15-09-2021 This petition was called on for hearing today.

**CORAM :**

HON'BLE MR. JUSTICE A.M. KHANWILKAR  
HON'BLE MR. JUSTICE DINESH MAHESHWARI  
HON'BLE MR. JUSTICE C.T. RAVIKUMAR

For Petitioner(s) Mr. Massom K. Shah, Adv.  
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Mr. Shivam Jaiswal, Adv.  
For M/S. Udit Kishan And Associates, AOR

Mr. Kapil Sibal, Sr. Adv.  
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Mr. B. M. Mangukia, Adv.  
Mr. Chetan Pandya, Adv.  
Mr. Harsh Jain, Adv.  
Mr. Harshit Khanduja, Adv.  
Ms. Yashika Sharma, Adv.  
Ms. Christi Jain, AOR

Mr. Sanjay Kapur, AOR  
Ms. Megha Karnwal, Adv.  
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For Respondent(s) Mr. M B R S Raju, Adv.  
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Ms Aakriti Priya, Adv.  
Mr. Prateek Yadav, Adv.

Mr. O. P. Gaggar, AOR

Mr. M. T. George, AOR

Mr. Tushar Mehta, SG  
Mr. S.V. Raju, ASG  
Mr. Aman Lekhi, ASG  
Mr. Rajat Nair, Adv.

Mr. Zoheb Hussain, Adv.  
Mr. Kanu Agarwal, Adv.  
Ms. Nisha Baghi, Adv.  
Mr. Binu Tamta, Adv.  
Ms. Shradha Deshmukh, Adv.  
Mr. M. K. Maroria, AOR  
Mr. Arvind Kumar Sharma, AOR

M/S. M. V. Kini & Associates, AOR

Mr. Rahul Chitnis, Adv.  
Mr. Sachin Patil, AOR.  
Mr. Aaditya A. Pande, Adv.  
Mr. Geo Joseph, Adv.

Mr. S.V Raju, ASG  
Ms. Sairica Raju, Adv.  
Ms. Aastha Mehta, Adv.  
Mr. A.P Mayee, AOR

UPON hearing the counsel the Court made the following  
O R D E R

W.P. (Cr1.) No. 301/2021

We have heard learned counsel for the parties.

Considering the nature of grievance made and the background in which this petition has been filed and justly opposed by the Department/Enforcement Directorate on the facts noted in the counter affidavit, as an interim measure, we direct the petitioner(s) to remain present before the concerned officer and give their written explanation to summons issued under Section 70 of the Central Goods and Services Act, 2017, which is the subject matter of challenge in this Writ Petition by day after tomorrow, i.e., 17.09.2021 before 2:00 p.m. who, in

turn, will be free to put queries to the petitioner(s) to which they must respond and offer explanation, if any.

The officer concerned after recording the further oral statement/explanation given by the petitioner(s) may then indicate the further course of action to be taken against the petitioner(s) in sealed cover to this Court, whereafter appropriate orders can be passed by this Court on the next date.

List this matter on next Tuesday, i.e., 21.09.2021.

Needless to observe that the authorities will not take any precipitative action against the petitioner(s) till 21.09.2021.

SLP(Cr1) No. 4835-4836/2021 and SLP(C) No. 12468/2021

List these matters on 21.09.2021.

(DEEPAK SINGH)  
COURT MASTER (SH)

(VIDYA NEGI)  
COURT MASTER (NSH)