

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD****R/SPECIAL CIVIL APPLICATION NO. 4907 of 2021****RAKESHBHAI KANTILAL SARASVADIYA****Versus****STATE OF GUJARAT**

Appearance:

HIREN J TRIVEDI(8808) for the Petitioner(s) No. 1

for the Respondent(s) No. 2,3,4

Ms. Manisha Lavkumar, Government Pleader with Mr. Utkarsh Sharma, Asst.

GOVERNMENT PLEADER/PP(99) for the Respondent(s) No. 1

**CORAM: HONOURABLE THE CHIEF JUSTICE MR. JUSTICE VIKRAM  
NATH**

and

**HONOURABLE MR. JUSTICE R.M.CHHAYA****Date : 06/05/2021****ORAL ORDER****(PER : HONOURABLE THE CHIEF JUSTICE MR. JUSTICE VIKRAM NATH)**

We have heard Mr. Hiren Trivedi, learned advocate for the petitioner and Ms. Manisha Lavkumar, learned Government Pleader assisted by Mr. Sharma, learned Assistant Government Pleader for the respondent State.

Draft amendment is allowed. Let, necessary incorporation be carried out. Ms. Shah learned Government Pleader upon instruction has stated that vehicle earlier seized under Section 67(2) of the GST Act and subsequently attached under Section 83 of the GST Act, 2017 would be released within a week from today i.e. by 13.5.2021. Rest of the goods seized and attached which include mobile phone and dairy may continue with the department if it so desired. If it is not required any further, the same may be considered for being released. We have been informed that the concerned officers are indisposed as such sometime may be granted

for filing counter affidavit in response to the draft amendment and the additional affidavit if any. For the said purpose, two weeks time may be granted. This matter be listed upon opening after summer vacation on 15.6.2021.

(VIKRAM NATH, CJ)

(R.M.CHHAYA, J)

KAUSHIK J. RATHOD

