

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**R/SPECIAL CIVIL APPLICATION NO. 19221 of 2023**=====
M/S TESZLA MULTI TRADE

Versus

UNION OF INDIA
=====

Appearance:

ASHVA LEGAL ADVISORS LLP(13473) for the Petitioner(s) No. 1

MR.AVINASH PODDAR(9761) for the Petitioner(s) No. 1

MS ANCHAL A PODDAR(13386) for the Petitioner(s) No. 1

for the Respondent(s) No. 1,2,4,5,6

ADVANCE COPY SERVED TO GP/PP for the Respondent(s) No. 3
=====**CORAM:HONOURABLE MR. JUSTICE BIREN VAISHNAV**

and

HONOURABLE MRS. JUSTICE MAUNA M. BHATT

Date : 06/11/2023

ORAL ORDER**(PER : HONOURABLE MR. JUSTICE BIREN VAISHNAV)**

1. It appears that the petitioner has been issued Show Cause Notice for cancellation of registration on 13.12.2022. In the meantime, the registration of the petitioner has been suspended with effect from that day. The petitioner on 13.12.2022 has requested for clarification from the respondents as to why the authority came to conclusion that the registration has been obtained by means of fraud, wilful misstatement or suppression of facts. The reply has also been filed on 13.12.2022.

Meantime, it appears that the respondents have issued "ADVISORY" to the clients or parties which the petitioner is dealing with, inter alia stating that registration of the petitioner has been cancelled. This is not so.

2. Mr.Avinash Poddar, learned counsel for the petitioner would rely on Rule 21A sub-rule (2) & (2-A) thereof to indicate that once Notice is issued, the question of suspension has to be decided within a period of 30 days. No decision has yet been taken on the issue whether the petitioner's registration is required to be cancelled. Almost a year has gone by.

3. **Issue Notice** to the respondents, returnable on 06.12.2023. On or before the returnable date, respondents are directed to take a decision on the question whether the suspension of petitioner's registration needs to be continued or not. Speaking order shall be passed.

Respondents are also restrained from issuing such kind of Advisory that they have issued to one Vijay Traders on 20.09.2023 intimating cancellation of registration, which in fact, is not so. Direct service is permitted.

(BIREN VAISHNAV, J)

(MAUNA M. BHATT,J)

DIPTI PATEL