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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 4954/2021 & CM APPL. 41687/2021

M/S KRISHNA TRADING COMPANY Petitioner
Through: Mr. Karan Sachdev, Advocate.

versus

UNION OF INDIA & ORS. Respondents
Through: Mr. Zoheb Hossain, Advocate

CORAM:
HON'BLE MR. JUSTICE MANMOHAN
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **06.12.2021**

CM Appl. 41687/2021

Present application has been filed by the petitioner under Section 151 of the Code of Civil Procedure, 1908, seeking permission to make deposit of Rs.14,01,705/- with the Central Consumer Welfare Fund.

Learned counsel for the applicant states that in terms of the order dated 18th August, 2021 of this Court, the applicant was directed to deposit the profiteering amount in the ratio of 50:50 with the Central Consumer Welfare Fund and the State Consumer Welfare Fund in terms of Rule 133(3)(c) of the CGST Rules, 2017.

He submits that the Consumer Welfare Fund of Delhi is not yet operational in the State and though the first and second instalment deposited by the applicant with the Central Consumer Welfare were accepted, yet the subsequent instalments were not accepted on the ground of non-payment

towards the State Consumer Welfare Fund.

Today, learned counsel for respondent states that he has received instructions from Mr. Gopal Mishra, Deputy Controller of Accounts, Trade and Taxes Department, stating that the amount meant for the Consumer Welfare Fund Delhi may be obtained from the registered Firm by way of Demand Draft in favour of the Commissioner, Trade & Taxes Department, Government of NCT of Delhi.

This Court is surprised to note that Delhi Government does not have a State Consumer Welfare Fund till date. It is not understood as to how money to be deposited with State Consumer Welfare Fund can be deposited with the Commissioner, Trade & Taxes Department, Govt. of NCT of Delhi.

Issue notice to the Chief Secretary, Government of NCT of Delhi, through its Standing counsel, without process fee, returnable for 21st December, 2021. Along with the notice a copy of the order passed today shall be enclosed.

MANMOHAN, J

NAVIN CHAWLA, J

DECEMBER 6, 2021

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