

Read: - Application dt.17/03/2012 by M/s Precihole Machine Tools Pvt Ltd.

Heard: - None.

ORDER

(Section 55 of the Maharashtra Value Added Tax Act,2002 read with rule 64 of the Maharashtra Value Added Tax Rules,2005)

No. ARA/Advance Ruling/Mumbai/22-23/B- 499 Date 11/08/2022

The applicant M/s Precihole Machine Tools Pvt Ltd, having TIN:27460010462V and registered office at A-180, 16th Road Wagle Estate, Thane-4006004 had applied for Determination of the question under section 56 of Maharashtra Value Added Tax. (as mentioned in the application). As this section was deleted by notification vide dated 26.04.2016, with effect from 01.05.2016. Therefore, as per section 55(5) of MVAT Act, 2002, such pending DDQ applications had been transferred under the Advance Ruling Authority (MVAT).

The case was taken up for hearing on dt.06/12/2014 and applicant called on 24/12/2014. Nobody attended on hearing date nor any communication received from the applicant. After that reminders were issued by this office on 18/12/2014, 22/07/2015, and hearing was scheduled on 26/12/2014, 29/07/2015 respectively. Meanwhile Mr. Sunil Doshi (STP) attended on 29/07/2015 & on 10/08/2015 and submitted certain submission. The letters are served by post office and the acknowledgement are kept on record. In mean time applicant submitted only initial documents. Nobody attended on hearing date nor any communication received from the applicant.

As a principal of natural justice one more opportunity was given to applicant and reminder was issued on 09/05/2022, 25/05/2022 & 23/06/2022 to present his case. The letters are served by post office and the acknowledgement are kept on record.

The letter calling for hearing dt.05/07/2022 was also mailed at the e mail ID: asjoshi@precihole.com given by the applicant.

It was mentioned in the letters / reminders that failure to attend the hearing would be resulted in the dismissal of application. Again no one attended nor was any communication received from applicant.

Since the applicant has not responded to so many opportunities given till date, in such circumstances, it will not be adverse to draw the conclusion that the applicant is not interested in pursuing the application. The opportunities to present the say in the matter have not been availed by the applicant. Further, the correspondence sent to the applicant are also being served at the address as mentioned in the DDQ application.

In view of the above, it can be seen from the above that the applicant is neither interested in producing any evidence in support of the application nor to pursue the application. Therefore, I have no alternative but to reject the application for non-attendance. The opportunities to present the say in the matter have not been availed by the applicant.

For the facts and reasons discussed above following order is passed.

ORDER

(Section 55 of the Maharashtra Value Added Tax Act, 2002 read with rule 64 of the Maharashtra Value Added Tax Rules, 2005)

No. ARA/Advance Ruling/Mumbai/22-23/B-494

Dt. 11/08/2022

The application is dismissed for Non-attendance.



(G V Bilolikar)

Chairman Advance ruling (MVAT)
Additional Commissioner of State Tax
Thane Mumbai

Place *Mazgaon*

Date: *11/08/2022*

Copy to:

1. M/s Precihole Machine Tools Pvt Ltd.
A-180, 16th Road Wagle Estate, Thane-4006004.
2. Deputy Commissioner of state tax (THA-VAT-E-005).
3. Joint Commissioner of state tax (ADM) Thane City Thane.
4. Office copy.