

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

TUESDAY, THE 3RD DAY OF FEBRUARY 2015/14TH MAGHA, 1936

WP(C).No. 3026 of 2015 (C)

PETITIONERS:

- 1. P.P.PRADEEP KUMAR, AGED 59 YEARS,
PUTHANPURAYIL HOUSE, MUTTUNGAL VILLAGE,
MUTTUNGAL DESOM, VADAKARA, KOZHIKODE.**
- 2. SHIJU,
VAZHE KOYILOTH HOUSE, PUTHUPPANA DESOM,
NADAKKUMTHAZHA VILLAGE, VADAKARA TALUK.**

**BY ADVS.SRI.A.SUDHI VASUDEVAN
SMT.K.PUSHPAVATHI
SRI.R.SYLESHWAREN NAIR
SRI.JOSE JONES JOSEPH**

RESPONDENTS:

- 1. EXCISE COMMISSIONER,
COMMISSIONERATE OF EXCISE,
THIRUVANANTHAPURAM - 695 001.**
- 2. DEPUTY COMMISSIONER OF EXCISE,
KOZHIKODE - 673 001.**
- 3. EXCISE INSPECTOR,
EXCISE RANGE OFFICE, VADAKARA - 693 101.**

BY GOVERNMENT PLEADER, SMT. C.K. SHERIN

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
03-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

DST

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 3026 of 2015

Dated this the 06th day of February, 2015

JUDGMENT

Pending the writ petition, the report based on the analysis of B sample has been made available. In the light of the subsequent development, the petitioner has felt it desirable to withdraw the present writ petition and file a fresh one laying a comprehensive challenge against the report made available based on the analysis of B sample.

In the facts and circumstances, having regard to the submission of the learned counsel for the petitioner, this Court dismisses the writ petition preserving the liberty of the petitioner to pursue the matter afresh, without prejudice to his rights and contentions.

**DAMA SESHADRI NAIDU
JUDGE**

DMR/-