

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V. BHATT**

WRIT PETITION No. 2350 of 2002

Dt:24.06.2015

Between:

M/s.Vijay Anand Textiles Mills Private Limited.

... Petitioner

And

The Inspecting Officer,
Textiles Committee and another.

... Respondents

**HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
THE HON'BLE SRI JUSTICE S.V. BHATT**

WRIT PETITION No. 2350 of 2002

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ORDER: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

This writ petition basically impugns the demand notice, dated 16.11.2001, issued by the Textiles Committee, South Zone, Coimbatore under the Textiles Committee (Cess) Rules, 1975 (for short 'the Rules'). The demand notice was issued under Rule 8 of the Rules. The issue involves consideration of jurisdictional fact on the applicability of the Textiles Committee Act, 1963 (for short 'the Act').

Mr.B.Narayana Reddy, learned Assistant Solicitor General, at the outset, invites our attention to Section 5A(7) of the Act and submits that the demand notice issued under Rule 8 of the Rules is appealable.

Having confronted with this, Mr.S.Ravi, learned Senior Counsel appearing for the petitioner, prays for withdrawal of this writ petition, with liberty to the petitioner to file appeal within four (4) weeks from today.

Writ petition is disposed of as withdrawn with liberty as prayed. It is made clear that if the appeal is filed, as aforementioned, within the stipulated time, the appellate authority may consider the same without entering into an issue of limitation. There shall be no order as

to costs.

Consequently, miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

Dt:24.06.2015
kdl