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CWP No. 19017 of 2004

M/S DHARAMPAL SATYAPAL LTD.

V/S

**THE COMMISSIONER, CENTRAL EXCISE COMMISSIONERATE
& OTHERS**

Present: Mr. D.N.Sharma, Dy. General Manager
O/o M/s Dharampal Satyapal Ltd.-petitioner

Mr. Rajesh Hooda, Advocate with
Mr. Yudhvir Singh, IRS, Assistant Commissioner, Central
Excise Commissionerate, Sector 17, Chandigarh

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The petitioner had filed a writ petition under Article 226/227 of the Constitution of India seeking direction for issuance of a writ in the nature of certiorari quashing the order of Customs, Excise & Services Tax Appellate Tribunal (Ex. P1) dated 16.9.2004 whereby application filed by the respondent for condonation of delay was allowed and at the same time another application containing prayer for stay of operation of the order was dismissed.

Learned counsel representing the respondent states that Appeal No. E/3479-3481/04-NB-C has been dismissed by Customs, Excise & Service Tax Appellate Tribunal as per order dated 5.11.2008 and consequently, the order under challenge vide Annexure P1 has become infructuous and resultantly, the writ petition be dismissed as infructuous.

Mr. D.N.Sharma, Dy. General Manager, M/s Dharampal Satyapal Ltd., who is present on behalf of the petitioner-Company, endorses the submission made by the counsel representing the respondent. Mr. D.N.Sharma, Dy. General Manager has also placed

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on record the resolution of the Company. Under these circumstances, the writ petition is dismissed as infructuous.

Copy of the order be supplied/sent to the counsel/parties and file be returned to the High Court.

(R.K.NEHRU)
PRESIDENT

18.09.2015
Janki

(R.C.KATHURIA)
MEMBER