

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP-633-2015

Decided on : 15.01.2015

M/s Aastha Auto Tech Pvt. Ltd.

..... Petitioner

VERSUS

Union of India and others

..... Respondents

CORAM: **HON'BLE MR. JUSTICE RAJIVE BHALLA**
HON'BLE MR. JUSTICE B. S. WALIA

Present: **Mr.Rishi Chanan, Advocate, for the petitioner.**

RAJIVE BHALLA, J. (ORAL)

The petitioner's prayer for issuance of a writ of mandamus to quash Rule 8(3A) of the Central Excise Rules, 2002, is not maintainable as a writ of mandamus can only be issued to an authority that has failed to perform its statutory duty.

Consequently, the writ petition is dismissed as withdrawn with liberty to the petitioner to file a fresh petition praying for the correct relief.

**[RAJIVE BHALLA]
JUDGE**

15.01.2015
Shamsher S.Sabharwal

**[B. S. WALIA]
JUDGE**