

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1856 of 2015

In
MA 727 of 2012

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Commissioner of Customs, Patna, 5 Floor, C.R. Building, Bir Chand Patel
Marg, Patna.

.... Petitioner/s

Versus

M/s Katyal Metal Agencies, 9611/2013 Sadar Thana Road, Paharganj, New
Delhi - 55.

.... Respondent/s

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**CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR
DATTA**

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA)

4 29-02-2016

I.A. No. 1036 of 2016:

The interlocutory application has been filed for
amendment of the prayer made in the restoration application so
as to seek restoration of I.A. No. 4533/2015 also along with that
of MA No. 727/2012.

On a consideration of the facts and
circumstances of the case, the prayer for amendment is allowed.

I.A. No. 1036/2016 is, accordingly, disposed of.

Mr. Kumar Pankaj, learned Junior Standing
Counsel, Customs Department submits that the restoration of the
Miscellaneous Appeal is being sought only as a technical
measure because he has received instructions in writing from the

Department that the Department itself intends to withdraw the appeal after the same is restored and not to pursue with the same.

In view of the aforesaid submissions made by learned counsel for the petitioner, Commissioner of Customs, M.A. No. 727/2012 is directed to be restored to its original file.

Put up the Miscellaneous Appeal under the heading “For Admission” along with the limitation petition on 4th March, 2016.

(Ramesh Kumar Datta, J)

S.Pandey/-

(Sudhir Singh, J)

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