

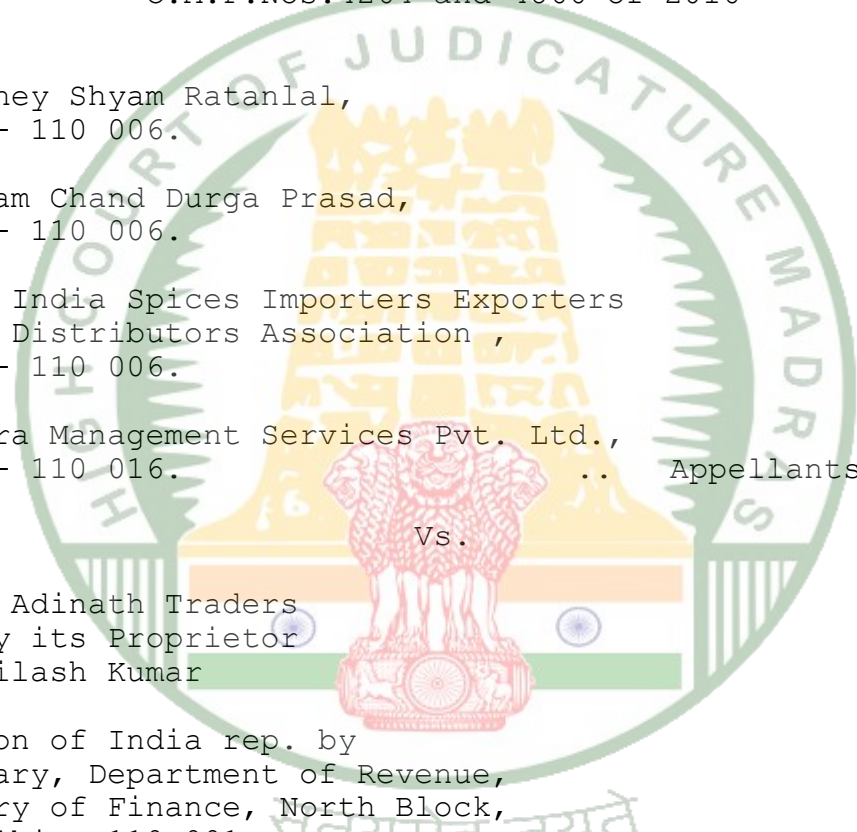
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2016

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and
THE HON'BLE Mr. JUSTICE M.VENUGOPAL

W.A.No.251 of 2016
and
C.M.P.Nos.4264 and 4866 of 2016

- 
- 1.M/s.Radhey Shyam Ratanlal,
Delhi - 110 006.
- 2.M/s.Hukam Chand Durga Prasad,
Delhi - 110 006.
- 3.M/s.All India Spices Importers Exporters
and Distributors Association ,
Delhi - 110 006.
- 4.M/s.Astra Management Services Pvt. Ltd.,
Delhi - 110 016. ... Appellants
- Vs.
- 1.M/s.Sri Adinath Traders
rep. by its Proprietor
Sri Kailash Kumar
- 2.The Union of India rep. by
Secretary, Department of Revenue,
Ministry of Finance, North Block,
New Delhi - 110 001.
- 3.The Chairman,
Central Board of Excise and Customs,
Department of Revenue,
Ministry of Finance, North Block,
New Delhi - 110 001.
- 4.The Member,
Central Board of Excise and
Customs Department of Revenue,
Ministry of Finance,
North Block, New Delhi - 110 001.

5.The Narcotics Commissioner,
Central Bureau of Narcotics,
19, The Mall, Morar,
Gwalior - 474 006.

.. Respondents

Writ Appeal filed under Clause 15 of Letters Patent against the order dated 05.02.2016 made in W.P.No.29806 of 2015.

Writ petition filed Under Article 226 of the constitution of India to issue a Writ of Certiorari to call for the records in and connected with the public Notice No.PS-7/2015 issued from file No. F.No.XVI/ 13/ 13/ N/PS/CC/2015 dated 14.9.2015 of the 4th respondent and all acts pursuant to the same quash the same as it is contrary to the Public Policy and constitutional guarantees of equality and free trade norms and in pursuance of the order of this court in M.P.No.2 of 2015 in W.P.No.27008/2015 dated 28.8.2015.

For Appellants .. Mr.Raj Kumar Jhabakh
For Respondents .. Mr.Vijay Narayan,
Sr. Counsel
for Dr.S.Krishnanandh for R1
Mr.B.Rabu Manohar,
SCGPC for R2 to R5

JUDGMENT

(Judgment of the Court was delivered by SATISH K.AGNIHOTRI, J.)

Mr.Rajkumar Jhabakh, learned counsel appearing for the appellants submits that in view of the order dated 10 March 2016 rendered by a Division Bench of High Court of Karnataka at Bengaluru in Writ Appeal No.132 of 2016, the appellants be permitted to withdraw the appeal and an endorsement to that effect is made.

2.Mr.Vijay Narayan, learned senior counsel appearing for the first respondent/writ petitioner submits that the first respondent/writ petitioner is entitled to the benefit under the observations made in the aforestated order. Thus, liberty be granted to the first respondent /writ petitioner to make an appropriate application before the learned single Judge, to which learned counsel for the appellants has no objection.

3.In view of the above, the writ appeal is dismissed as withdrawn with the abovesaid liberty. In view of the withdrawal of the writ appeal, no order is necessary in the miscellaneous petitions and the same are closed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary to Government,
Department of Revenue,
Ministry of Finance, North Block,
New Delhi - 110 001.
- 2.The Chairman,
Central Board of Excise and Customs,
Department of Revenue,
Ministry of Finance, North Block,
New Delhi - 110 001.
- 3.The Member,
Central Board of Excise and
Customs Department of Revenue,
Ministry of Finance,
North Block, New Delhi - 110 001.
- 4.The Narcotics Commissioner,
Central Bureau of Narcotics,
19, The Mall, Morar, Gwalior - 474 006.

+1cc to Mr.Rajkumar Jhabakh, Advocate, S.R.No.17078
+1cc to Mr.B.Sathish Sundar, Advocate, S.R.No.17094
+1cc to Mr.B.RabuManohar, Advocate Sr.17167

W.A. No.251 of 2016

kgk(CO)
srg(22/03/2016)