

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 12939 of 2016 (O&M)
Date of decision: 27.7.2016

M/s Ambika International

.. Petitioner

v.

Union of India and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Suman Jain, Advocate for the petitioner.

Mr. Anil Rana, Advocate for
Mr. Puneet Gupta, Advocate
Senior Panel Counsel for Union of India.

Mr. Tajender K. Joshi, Advocate for respondent No. 2.

...

Rajesh Bindal J.

The petitioner, who is based at Jammu, has filed the present petition seeking a direction to respondent No.2- The Commissioner of Customs and Central Excise, Commissionerate of Customs & Central Excise, Chandigarh to refund 22% of the duty paid by it during the period from April, 2008 to May, 2009.

How the jurisdiction of this court was invoked showing urgency during vacations is neither borne out from the record nor could be pointed out by learned counsel for the petitioner. The petition refers to respondent No. 3 as well, whereas in the memo of parties, there are only two

respondents. The prayer made in the petition is as under:

“i) issue a writ of mandamus or order or direction in the nature of mandamus commanding/directing respondent Nos. 2 and 3 to immediately comply with the directions contained in the interim order dated 13.12.2012 passed by the Hon'ble High Court of Jammu & Kashmir in LPA 73/2011 by refunding 22% of the amount of refund claim by it under its refund claim dated 19.5.2014 with interest thereon,

xx

xx

xx”

The aforesaid prayer made in the writ petition shows that the same was totally misconceived and has resulted in wastage of judicial time.

After notice of motion, the respondents are represented.

When the case was taken up for hearing, learned counsel for the petitioner submitted that he may be permitted to withdraw the present petition.

Dismissed as withdrawn, subject to payment of ₹ 50,000/- as costs. ₹ 25,000/- be deposited with the Registry of this Court, whereas ₹ 25,000/- be deposited with respondent No. 2 within one month.

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

27.7.2016
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