

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No. 2628 of 2016

Date of Decision: 10.2.2016

Basant Singh

....Petitioner.

Versus

Special Director, Directorate of Enforcement, Foreign Exchange
Management ATC, New Delhi and others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MRS. JUSTICE RAJ RAHUL GARG.**

PRESENT: Mr. Pankaj Jain, Senior Advocate with
Mr. Divya Suri, Advocate,
Mr. Sachin Bhardwaj, Advocaten,
Mr. Gaurav Mittal, Advocate and
Mr. Deepanshu Jain, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. The petitioner by way of present petition filed under Articles 226/227 of the Constitution of India is seeking a writ of mandamus praying for waiving of the condition of pre-deposit of additional demand raised vide order dated 20.10.2015 (Annexure P-23), where the petitioner has been required to deposit 15% of the penalty amount.

2. After arguing for some time, learned counsel for the petitioner submitted that the matter is not being argued on merits and he may be allowed to withdraw the present writ petition. However, he prayed that the period for deposit of the said amount before the Tribunal be extended.

3. In view of the above, the present writ petition is dismissed

as withdrawn. It is, however, directed that in case the petitioner deposits the amount as directed by the Tribunal on or before 15.3.2016, the Tribunal shall hear the appeal on merits. It is further directed that in case the petitioner fails to deposit the amount in question by the said date, the Tribunal shall pass the appropriate orders in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

February 10, 2016
gbs

(RAJ RAHUL GARG)
JUDGE