

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

**CWP No. 6311 of 2016
Date of decision: 04.04.2016**

M/s Faraz Handloom

...Petitioner

Vs.

State of Punjab and Others

...Respondents

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

Present : Mr. Sukhpal Singh, Advocate
for the petitioner.

AJAY KUMAR MITTAL, J. (Oral)

1. This petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of certiorari quashing the orders dated 19.02.2016 (Annexure P-9) passed by the Assistant Excise & Taxation Commissioner, Mobile Wing, Patiala whereby the penalty of ₹ 1,36,453/- on the purchase of 5530 Kgs of waste/second quality yarn from Shree Balaji Exprters (respondent No. 4) has been confirmed and further a writ of mandamus directing the respondent No. 1 to 3 to compensate the petitioner for the value of his goods along with bank interest which were destroyed in a fire.

2. After arguing for sometime, learned counsel for the petitioner states that impugned order (Annexure P-9) is an appealable order. He prays that he may be allowed to withdraw the petition with liberty to take the remedy of appeal in accordance with law.

3. Dismissed as withdrawn. However, it shall be open to the petitioner to take recourse to the remedies as may be available to it, in accordance with law.

**(AJAY KUMAR MITTAL)
JUDGE**

**(RAJ RAHUL GARG)
JUDGE**

04.04.2016