

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9951 OF 2017

SEAMEC Limited.	...	Petitioner.
V/s.		
The Union of India and others.	...	Respondents.

V.Sridharan, Senior Advocate with Prakash Shah and Narendra
Dave i/b. PDS Legal for the petitioner.

Pradeep S. Jetly the respondents.

CORAM : A.S.OKA AND RIYAZ I. CHAGLA, JJ.

DATE : 7th September 2017.

P.C.:

Not on board. Taken up on board.

2. Heard learned counsel appearing for the petitioner.

3. Exh.L to this petition shows that the petitioner has already filed an application before the Customs, Excise and Service Tax Appellate Tribunal, Mumbai for seeking the same relief which is sought in this petition.

4. Several factual aspects have been pointed out by the learned counsel for the petitioner about the grave urgency involved. His contention is that the Appellate Tribunal is not taking up the application for consideration. He states that the application is now fixed on Monday, 11th September 2017.

5. The application has been filed by the petitioner recently on 11th August 2017 before the Appellate Tribunal. If the urgency for immediately taking up the said pending application for hearing is pointed out by the petitioner, we are sure that the Appellate Tribunal will give necessary priority to the hearing of the said application.

6. As the Appellate Authority is seized of the matter, at this, we are not inclined to entertain this petition under Article 226 of the Constitution of India.

7. Subject to what is observed above, the petition is disposed of. All contentions on merits are kept open.

(RIYAZ I. CHAGLA, J.)

(A.S.OKA, J.)