

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1711 OF 2008

M/s.DLF Akruti Info Park Pune Ltd. ... **Petitioner**
V/s.
The Union of India & Ors. ... **Respondents**

....

Mr.Prakash Shah a/w. Mr.Jas Sanghavi i/b.PDS Legal, Advocate
for the Petitioner.

Mr.N.R.Prajapati, Advocate for the Respondents.

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**CORAM : S.V.GANGAPURWALA &
A.M.BADAR JJ.**

DATED : 28th July 2017.

P.C.

1 The learned counsel for the Petitioner submits that the Petitioner had supplied goods from DTA to SEZ. A Circular dated 30th June 2008, was issued purporting to levy duty. The learned counsel submits that the Gujrat High Court in case of *Essar Steel Limited v. Union of India*, reported in 2010 (249) ELT 3, had the occasion to address the veracity of the said Circular and the said Circular is set aside by the Gujrat High Court in the above referred case. The Apex Court has confirmed the said Judgment. Mr.Walve, the learned counsel does not oppose this position.

2 In view of the above, Rule is made absolute in terms of prayer clause (a). The Writ Petition is disposed of.

(A.M.BADAR J.)

(S.V.GANGAPURWALA J.)