

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Writ Petition No.4523 of 2017

(M/s. S.F. Patel (Proprietor Shri Sanjeev Kumar Patel), Amravati & Others -vs.-
Union of India, through The Secretary, Central Excise Department, New Delhi &
Another)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders.

Mr. Pradeep Mahalle & Mr. Kuldeep P. Mahalle,
Advocates for Petitioners.

CORAM : M.S.SANKLECHA &
MANISH PITALE, JJ.

DATE : 17.07.2017.

Mr. Kuldeep Mahalle, learned counsel appearing for the petitioners seeks to withdraw the present petition with liberty to pursue appellate remedies available under the Central Excise Act, 1944 in respect of the impugned order dated 07.02.2017 passed by the Commissioner of Central Excise.

2. The liberty as prayed for is granted. It is made clear that in case the petitioner files an appeal within the period of two weeks from today to the appellate authority i.e. Customs, Excise, Service Tax Appellate Tribunal along with an application for condonation of delay, the Tribunal would sympathetically consider and exclude the time spent

by the petitioner in this Court challenging the impugned order dated 07.02.2017, for consideration of the appeal.

3. Accordingly, the petition is disposed of as 'withdrawn'. No order as to costs.

JUDGE

JUDGE

waghmare