

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2017

CORAM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

And

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A.No.35 of 2017

And

C.M.P.No.514 of 2017

M/s.M.S & Company,
Represented by its Partner,
Mr.K.C.Subhramaniam

... Appellant

Vs.

The Commissioner of Customs,
O/o. The Principal Commissioner of Customs,
Chennai VIII Commissionerate,
New Custom House, Meenambakkam,
Chennai - 600 027.

... Respondent

Prayer:

Writ appeal filed under Clause 15 of Letters Patent praying to set aside the impugned order dated 12.09.2016 passed in W.P.No.29151 of 2015.

W.P.No.29151 of 2015:-

Praying to call for the records pertaining to the impugned order-in-original No.381/2015-AIR dt 31.3.2015 passed by the respondent in F.No.CAU/DRI/(CH)/14/2013-AIR and quash the same.

For Appellant : Mr.G.Derrick Sam

For Respondent : No Appearance

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J U D G M E N T

(Judgment of the Court was delivered by K.K.SASIDHARAN,J.)

The learned counsel for the appellant made an endorsement indicating that he is withdrawing the appeal with liberty to file statutory appeal before the CESTAT.

2.In view of the endorsement so made by the learned counsel for the appellant, the intra court appeal is dismissed as withdrawn. The appellant is given time till 18.12.2017 for filing appeal. In case, appeal is filed within the said period, the same shall be taken up and decided on merits by the CESTAT without rejecting it on the ground of limitation. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

The Commissioner of Customs,
O/o. The Principal Commissioner of Customs,
Chennai VIII Commissionerate,
New Custom House, Meenambakkam,
Chennai - 600 027.

+1cc to Mr.Hari Radhakrishnan, Advocate, S.R.No.84666

+1cc to Mr.B.Rabu Manohar, Advocate, S.R.No.84016

W.A.No.35 of 2017
And
C.M.P.No.514 of 2017

CS/30/11/17

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