

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2017

CORAM

THE HONOURABLE MR.JUSTICE RAJIV SHAKDHER  
And  
THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.12691 of 2007

And

M.P.No.1 of 2006

M/s.Larsen & Toubro Limited  
Engineering Construction  
Division Mount Poonamallee Road,  
Chennai 600 089. ....Petitioner

Vs.

1. Union of India rep. by its Secretary  
Ministry of Finance  
Department of Revenue  
Government of India  
North Block  
New Delhi - 110 001.
2. Directorate General of Central Excise  
Intelligence  
Rajaji Bhavan, Beasant Nagar,  
Chennai - 600 090
3. The Commissioner of Service Tax,  
MHU Complex,  
692, Annasalai, Nandanam,  
Chennai - 600 035.
4. Directorate General of Central Excise  
Intelligence  
Regional Unit,  
Vadodara, First Floor, Pujer Complex  
Opp. Golden Silver Apartments,  
Subhanpura, Vadodara - 390 023. ... Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Declaration to declare Explanation in Sl.No.7 of Notification No.1/2006-ST dated 01.03.2006 as ultra vires Sections 65(105)(zzq), 65(zzzh), 66 and 67 of the

Finance Act, 1994 as amended and also ultra vires Articles 14 and 265 of the Constitution of India in so far as the petitioner is concerned.

For Petitioner : Ms.Radhika Chandrasekar  
For Respondents: Mr.A.P.Srinivas,  
Senior Standing Counsel

O R D E R

(Order of the Court was delivered by RAJIV SHAKDHER,J.)

1.The learned counsel for the petitioner, says that she has instructions, not to press the writ petition, in view of the judgment of the Supreme Court rendered in Commissioner of Central Excise and Customs, Kerala Vs. Larsen & Toubro Limited, 2015 (39) STR 913 (S.C.).

2.Accordingly, the writ petition is dismissed as withdrawn. However, there shall be no order as to costs. Consequently, the connected pending application stands closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sli/asi

To

1. The Secretary to Government of India  
Ministry of Finance  
Department of Revenue  
Government of India  
North Block  
New Delhi - 110 001.
2. Directorate General of Central Excise  
Intelligence  
Rajaji Bhavan, Beasant Nagar,  
Chennai - 600 090
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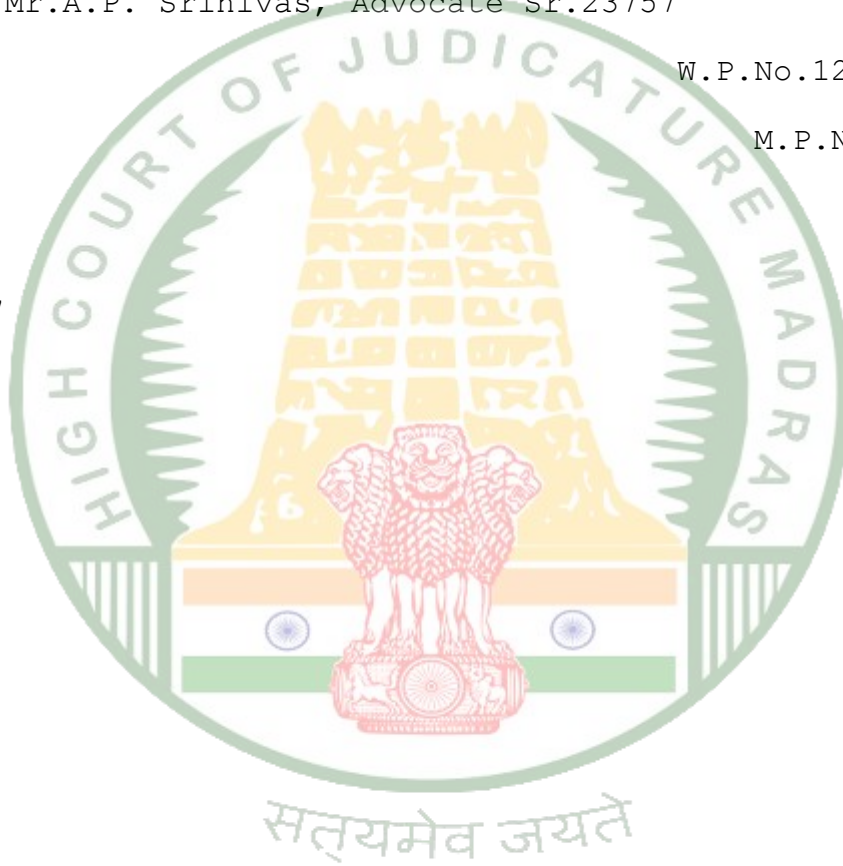
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Vadodara, First Floor, Pujer Complex  
Opp. Golden Silver Apartments,  
Subhanpura, Vadodara - 390 023.

+ 1 cc to Mr.K. Vaitheeswaran, Advocate SR.23400

+ 1 cc to Mr.A.P. Srinivas, Advocate Sr.23757

W.P.No.12691 of 2007  
And  
M.P.No.1 of 2006

NM(CO)  
Eu 2.05.17



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