

**In the High Court of Punjab and Haryana at Chandigarh**

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**CM No.16950-CII-2016 in  
6425-CII of 2016 in/and  
CR No. 6598 of 2005**

**Date of decision: 26.9.2017**

**DY COMMISSIONER CENTRAL EXCISE & ANR**

**.....petitioners**

**Versus**

**MOHINDER SINGH**

**.....Respondent**

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr.Amit Goyal, Advocate,  
for the petitioners.

Mr.Narinder Kumar, Advocate  
for the respondent.

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**RAJ MOHAN SINGH, J (oral)**

Civil Revision No. 6598 of 2005 was dismissed in default with costs of ₹ 3500/- vide order dated 1.3.2016. Thereafter CM No. 6425-CII of 2016 was filed for restoration of the revision petition.

Notice of the application was issued to the non-applicant-respondent on 31.3.2016 for 29.7.2016. In the order dated 29.7.2016, it was noticed by the Court that if the main revision petition is restored to its original number, petitioner may like to withdraw the revision petition in view of latest instructions

received from the Board of Customs and Central Excise.

Petitioner was directed to file a short affidavit in this regard.

In pursuance of aforesaid, CM No. 16950-CII-2016 was filed along with affidavit of Sh.J.A.S.Ghuman, Assistant Commissioner, Central Excise, Division, Patiala, mentioning therein that the deponent has instructions of the Board to make a statement of withdrawal of the revision petition after restoration of the same.

In the light of aforesaid, order dated 1.3.2016 is hereby recalled. Revision petition is allowed to be restored to its original number without payment of costs.

CM Nos. 16950 and 6425-CII of 2016 stand disposed of.

Accordingly, **CR No. 6598 of 2005** is dismissed as withdrawn.

**(RAJ MOHAN SINGH)**  
**JUDGE**

**September 26, 2017**  
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