

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CWP No.23952 of 2017
Date of decision:24.10.2017**

M/s Agros Crop Nutrition

... Petitioner

Vs.

Union of India and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AMIT RAWAL**

Present:- Mr. Gurpreet Singh, Advocate
for the petitioner.

AJAY KUMAR MITTAL, J. (ORAL)

1. In this writ petition filed under Articles 226 and 227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of certiorari for quashing the impugned order dated 21.07.2017 (Annexure P-14) passed by Joint Commissioner, office of the Commissioner of Customs G.T.Road, Sahnewal, Ludhiana Savitri Complex-II, Dada Motors, G.T.Road, Dholewal, Ludhiana, i.e., respondent No.4 vide which order in original has been passed.

2. It is pointed out by learned counsel for the petitioner that the said impugned order is appealable as noticed in para 2 of the impugned order. Learned counsel submitted that inadvertently, certain facts could not be incorporated in the present writ petition and filing of the writ petition instead of appeal has also not been explained. Accordingly, a prayer has

been made that he may be allowed to withdraw the present writ petition, with liberty to the petitioner to file fresh writ petition on the same cause of action by furnishing comprehensive and better particulars.

3. Dismissed as withdrawn, with liberty as aforesaid.
4. However, granting of permission shall not preclude the Court to examine the question regarding availability of alternative remedy of appeal to the petitioner. In case, fresh writ petition is filed, the office shall tag the record of present writ petition with the said writ petition.

(AJAY KUMAR MITTAL)
JUDGE

(AMIT RAWAL)
JUDGE

October 24, 2017
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No