

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2473 OF 2018

Nico Extrusion Ltd. .. Petitioner
Versus
Union of India, through the
Secretary and ors .. Respondents

...

Mr.Bharat Raichandani i/b UBR Legal for the petitioner.

Mr.Vijay Kantharia for respondent no.1.

**CORAM: S.C. DHARMADHIKARI &
SMT. BHARATI H.DANGRE, JJ.**

DATED : 5th JUNE 2018

P.C:-

1 We have heard Mr.Raichandani appearing for the petitioner and Mr.Kantharia for the respondent.

2 The Writ Petition is filed against what we can see for ourselves, at intermediate stage of the proceedings, pending before adjudicating authority in pursuance of a show cause notice which has been issued way back in the year 2007 and to be precise, on 27th April 2007. The show cause notice is being adjudicated *de novo* pursuant to an order of the Appellate

Tilak

Tribunal dated 27th August 2009. In the event the show cause notice proceeds for adjudication as directed, and an adverse order is passed, then while challenging it, the petitioner is free to raise all contentions including that service of the relevant documents and which have been relied upon, has not been effected on it and they were held back, without any justification from the petitioner.

2 At this stage, we do not wish to interdict the proceedings as the respondents accuse the petitioners of delaying tactics. Hence, all the more, we are disinclined to entertain the writ petition.

3 Writ Petition is dismissed.

(SMT. BHARATI H. DANGRE, J.) (S.C. DHARMADHIKARI, J.)