

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 08.01.2018
CORAM
THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM

W.P.No.34305 of 2013

&

M.P.No.1 of 2013

M/s.Adonis Electronics Private Limited,
Represented by its Director,
Mr.Kunhiraman Pallen,
No.18, 4th Lane, Nungambakkam,
Chennai 600 034

... Petitioner

Vs

1.The Commissioner of Central Excise (Appeals)
121, M.G.Road, Nungambakkam,
Chennai 600 034.

2.The Additional Commissioner of Service Tax,
692, MHU Complex,
Nandanam, Chennai 600 035.

... Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issuance of a Writ of certiorarified mandamus to call for the records of the impugned order in stay petition No.208/2013 dated 20.11.2013 of the first respondent in so far as it seeks to direct the petitioner to pre-deposit a sum of 50% of the disputed in Appeal No.319/2010(MST) and quash the same and to direct the first respondent to dispose the appeal on merits without insisting on any pre-deposit pending before the first respondent.

For Petitioner :: Mr.C.Saravanan

For Respondents :: Mr.K.S.Ramasamy
Standing Panel Counsel

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O R D E R

The petitioner has filed this writ petition challenging the order passed by the first respondent/The Commercial Central Excise (Appeals) directing the petitioner to pre-deposit 50% of the sales tax as demanded.

2.The learned counsel for the petitioner submits that subsequently during the pendency of the writ petition, CESTAT

has disposed of the appeal petition filed by the petitioner and the same has been allowed and the order has been set aside and remanded for fresh consideration.

3. In the light of the same, it is unnecessary to test the correctness of the impugned order. Accordingly, this writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

maya/sai

To

1. The Commercial Central Excise (Appeals)
121, M.G. Road, Nungambakkam,
Chennai 600 034.

2. The Additional Commissioner of Service Tax,
692, MHU Complex,
Nandanam, Chennai 600035.

1 cc to C. Saravanan, Advocate (SR NO. 1478)
1 cc to K. S. Ramasamy, Advocate (SR No. 1418)

ksa (03.02.2018)



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