

222-3

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.12617 of 2016 (O&M)

Date of Decision: 09.08.2018

M/s Jay Ambey Aromatics

..... Petitioner

Versus

Union of India and another

..... Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE AMIT RAWAL**

Present: Mr. Suman Jain, Advocate and
Mr. Shubham Jain, Advocate
for the petitioner.

Mr. Tajender K. Joshi, Advocate
for respondent No.2.

RAJESH BINDAL J.

Challenge in the present petition is to the order dated 01.06.2016 passed by the Commissioner, Customs & Central Excise Chandigarh. Writ petition was filed directly in this Court, though it is not disputed that the appeal is maintainable against the order of the Commissioner before the Customs, Excise and Service Tax Appellate Tribunal (for short 'the Tribunal'). Under the circumstances, we deem it appropriate to relegate the petitioner to avail of his appropriate alternate remedy.

As the petitioner had filed writ petition in this Court immediately after the order was passed by the Commissioner, in case appeal is filed by the petitioner before the Tribunal within one month from

the date of receipt of copy of the order, the same shall not be dismissed on account of delay and will be considered on its own merit subject to compliance of pre-conditions for entertainment of the appeal before the Tribunal.

The writ petition stands disposed of accordingly.

(RAJESH BINDAL)
JUDGE

(AMIT RAWAL)
JUDGE

09.08.2018
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No