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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 1565/2016 & CM APPL. 31779/2018**

ALD AUTOMOTIVE PRIVATE LIMITED Petitioner
Through: Mr. Balbir Singh, Sr. Advocate with
Mr. Nakul Mohta and Mr. Lalit
Mohan, Advocates
versus

UNION OF INDIA & ORS. Respondents
Through: Mr. Dev. P. Bhardwaj, CGSC for R-1
Mr. Satyakam, ASC, GNCTD for R-2
Mr. Amit Bansal and Ms. Seema
Dolo, Advocates for R-3.

CORAM:
HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE A. K. CHAWLA
ORDER
% **08.08.2018**

Learned counsel for the petitioner seeks liberty to withdraw the writ petition but requests that the initial bank guarantee furnished to the extent of 10% of the determined liability should be allowed to continue during the pendency of the appeal. This aspect shall be considered by the Customs Excise and Service Tax Appellate Tribunal (CESTAT) in the petitioner's appeal, if filed within two weeks, and appropriate orders made in this regard before considering the main appeal and its merits.

The Court is of the opinion that the Tribunal should decide the

merits of the issues urged by the parties, unhindered by the issue of limitation, if any, which might arise.

The writ petition is therefore dismissed as withdrawn in the above terms along with all the pending applications. The next date of hearing stands cancelled.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

AUGUST 08, 2018

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