

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 13253 OF 2018

Welpack Industries Pvt. Ltd.

.. Petitioner

v/s.

The Union of India & Ors.

.. Respondents

Mr. Jas Sanghavi i/b PDS Legal for the petitioner
Mr. Sham V. Walve for the respondents

**CORAM : M.S. SANKLECHA &
NITIN JAMDAR, J.J.**

DATED : 16th SEPTEMBER, 2019

P.C.

1. Mr. Sanghavi, learned Counsel appearing for the petitioner, on instructions, seeks to withdraw this petition. However, he seeks a direction to respondent no.2 to first decide the Show-cause Notice dated 2nd August, 2018 in respect of the petitioner's remission application and thereafter take up the Show-cause Notice dated 8th September, 2009 with regard to the denial of the Cenvat Credit. The request made by the petitioner is reasonable.

2. In the above view, we direct the respondent no.2 – the

Commissioner of Central Excise to first decide the Show-cause Notice dated 2nd August, 2018 in respect of the remission application and thereafter Show-cause Notice dated 8th September, 2009 in respect of the Cenvat Credit. As these issues are pending for long, the respondent no.2 is directed to dispose of both the Show-cause Notices as expeditiously as possible and preferably within a period of eight weeks.

3. The petitioner undertakes to co-operate in the early disposal of both the Show-cause Notices.

4. Petition is disposed of as withdrawn.

(NITIN JAMDAR, J.)

(M.S. SANKLECHA, J.)