

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 18.11.2019
CORAM
THE HONOURABLE DR. JUSTICE ANITA SUMANTH
Writ Petition No.1926 of 2007
& M.P.No.1 of 2007

ICICI Bank Limited
having its Corporate Office
at ICICI Bank Towers,
Bandra-Kurla Complex, Bandra (E),
Mumbai - 400 051 with whom ICICI Limited
formerly known as Industrial Credit and
Investment Corporation of India Limited) was
amalgamated pursuant to the orders passed
by the Hon'ble Bombay High Court.

.... Petitioner

Vs

1. Union of India
represented by its Secretary,
Ministry of Finance,
New Delhi - 110 001.
2. Customs, Excise and Service Tax Appellate
Tribunal (Southern Bench)
having its address at Shastri Bhavan,
Annexe Building, 1st Floor, Haddows Road,
Chennai - 600 006.
3. Commissioner of Customs (Import)
Customs House, Rajaji Salai,
New No.60, Chennai - 600 001.

...Respondents

Prayer: PETITION filed under Article 226 of The Constitution of India praying for the issuance of Writ of Certiorarified Mandamus to call for the records and proceedings of the second respondent culminating in the order dated 29.11.2006 bearing No.1153 to 1155 of 2006 and quash the same and direct the second respondent to hear and dispose the appeal bearing No.c/146/2006 without insisting on the pre deposit of the amounts set out in the impugned order.

For Petitioner : Mr.S.Raghunathan
For Respondents : Mr.S.Rajasekar

O R D E R

The petitioner has challenged an order dated 29.11.2006 passed by the CESTAT on the applications filed seeking pre-deposit of waiver, as against which only Civil Miscellaneous Appeal would lie, to be heard by a Division Bench in terms of the provisions of Section 130 A of the Customs Act, 1962 (see Metal Weld Electrodes and Metro Trading Company (Electrodes) P. Ltd., V. The Customs, Excise and Service Tax and Ors. (2014 (299) ELT 3)).

2. This Writ Petition is thus dismissed. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sl

To

- 1.The Secretary,
Union of India
Ministry of Finance,
New Delhi - 110 001.
- 2.Customs, Excise and Service Tax Appellate
Tribunal (Southern Bench)
at Shastri Bhavan,
Annexe Building, 1st Floor, Haddows Road,
Chennai - 600 006.
- 3.The Commissioner of Customs (Import)
Customs House, Rajaji Salai,
New No.60, Chennai - 600 001.

+1cc to Mr.S.Rajasekar, Advocate sr.95786

Writ Petition No.1926 of 2007
& M.P.No.1 of 2007

nr 18/12/2019