

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 05.03.2019

CORAM:
THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.41003 of 2006
and
M.P.No.1 of 2006

M/s.Anand Paints & Hardware Stores,
No.4-d/12, Jwala Heri Market,
Paschim Vihar,
New Delhi-110 063.
Rep. by Y.K.Anand(Proprietor)

...Petitioner

Vs.

1.The Customs Excise and Service Tax
Appellate Tribunal,
South Zonal Bench, I floor,
Shastri Bhavan Annexe, Haddows Road,
Chennai - 600 006.

2.The Commissioner of Customs(Exports)
Custom House,
No.60,Rajaji Salai,
Chennai- 600 001.

3.The Additional Director General,
Directorate of Revenue Intelligence,
Zonal Unit,
No.25, Gopalakrishna Road,
T.Nagar, Chennai-600 017.

...Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus, call for the entire records relating to the final order No.554/2006 dated 03.07.2006 of the first respondent and quash the same and consequently direct the first respondent to condone the delay of 67 days in filing the appeal in the interest of justice and to hear their appeal on merit.

For Petitioner : Mr.S.Venkatachalam

For Respondents : Mr.M.Hariharan
AGP for R1 and R3

K.S.Ramasamy for R-2

O R D E R

This Writ Petition has been filed for writ of Certiorarified Mandamus, to call for the records relating to the final order No.554/2006 dated 03.07.2006 of the first respondent and to quash the same and consequently direct the first respondent to condone the delay of 67 days in filing the appeal.

2.When the matter came up for hearing today, the learned counsel appearing for the second respondent submits that he has no objection, if the writ petition is allowed, in view of the fact that it is only for the purpose of condoning the delay of 67 days in filing the appeal.

3.Accordingly, the writ petition is allowed and the delay of 67 days in filing the appeal before the first respondent is condoned. Consequently, the petitioner is at liberty to prosecute the appeal before the first respondent, if it so desires, within a period of 15 days from the date of receipt of a copy of this order. No costs. Consequently, connected M.P. is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rrg

To

1.The Customs Excise and Service Tax

Appellate Tribunal, South Zonal Bench, I floor,
Shastri Bhavan Annexe, Haddows Road,
Chennai - 600 006.

2.The Commissioner of Customs(Exports)

Custom House, No.60, Rajaji Salai,
Chennai- 600 001.

3.The Additional Director General,

Directorate of Revenue Intelligence,
Zonal Unit, No.25, Gopalakrishna Road,
T.Nagar, Chennai-600 017.

+1cc to Mr.K.S.Ramasamy, Advocate, S.R.No.20395

W.P.No.41003 of 2006

CA(CO)

rrs 27/03/2019