

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2019

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P.s 25315 to 25317 of 2004

and

W.P.M.P.s 30778 to 30780 of 2004

M/s.B.N.T.Connections,
126, Nelson Manickam Road,
Chennai-29.

... Petitioner in
W.P.25315/2004

M/s.B.N.T.Innovations
Private Limited,
126, Nelson Manickam Road,
Chennai-29.

... Petitioner in
W.P.25316/2004 and 25317/2004

Versus

1. The Chairman,
Second Appellate Committee,
Ministry of Textiles,
Udyog Bhawan,
New Delhi.

2. The Textile Commissioner,
New CGO Complex,
48, New Marine Lines,
Mumbai-400 020.

3. The Additional Director
Apparel Export Promotion
Council,
498, Anna Salai, (III Floor),
Chennai-600 035.

... Respondents in
all W.P.s

PRAYER in W.P. 25315 of 2004 : Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Declaration, declaring the invocation of the Bank Guarantee by the 3rd respondent in his proceeding No.AEPC/C/BG-EMD/BGCLAIM/SO/2002/1418/2004, dated 20.08.2004 for forfeiture of a sum of Rs.7,27,052/- is illegal, arbitrary and violation of Article 14 of the Constitution of India and in so far as it relates to the forfeiture of bank guarantee for

utilisation of export commitments due to various genuine reasons without being a law passed under Article 265 of the Constitution of India and in contravention of Articles 109, 110, and 266 of the Constitution of India.

PRAYER in W.P. 25316 of 2004 : Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Declaration, declaring the invocation of the Bank Guarantee by the 2nd respondent in his proceeding Order No.21/3(B)/2002/E.P.-II/416, dated 16.07.2004 for forfeiture of a sum of Rs.3,12,428/- is illegal, arbitrary and violation of Article 14 of the Constitution of India in so far as it relates to the forfeiture of export commitments due to various genuine reasons without being a law passed under Article 265 of the Constitution of India and in contravention of Articles 109, 110, and 266 of the Constitution of India.

PRAYER in W.P. 25317 of 2004 : Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Declaration, declaring the invocation of the Bank Guarantee by the 3rd respondent in his proceeding No.AEPC/C/BG-EMD/BGCLAIM/SO/2002/1416/2004, dated 20.08.2004 for forfeiture of a sum of Rs.4,80,099/- as illegal, arbitrary and violation of Article 14 of the Constitution of India and in so far as it relates to the forfeiture of bank guarantee for utilisation of export commitment due to various genuine reasons without being a law passed under Articles 109, 110, and 266 of the Constitution of India.

For Petitioners : Mr.S.Deenadayalan
in all wps

For Respondents : Mr.C.Gurulingam for R1

Mr.R.Abdul Wahab for R2 & R3

O R D E R

The learned counsel appearing for the petitioners seek permission of this Court to withdraw the Writ Petitions. He has also made endorsement to that effect.

In view of the submission and endorsement made by the learned Counsel appearing for the Petitioners, the Writ Petitions are dismissed as withdrawn. No costs. Consequently, the connected Writ Petition Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

rpp

To

1.The Chairman,
Second Appellate Committee,
Udyog Bhawan,
New Delhi.

2.The Textile Commissioner,
New CGO Complex,
48, New Marine Lines,
Mumbai-400 020.

3.The Additional Director
Apparel Export Promotion
Council,
498, Anna Salai, (III Floor),
Chennai-600 035.

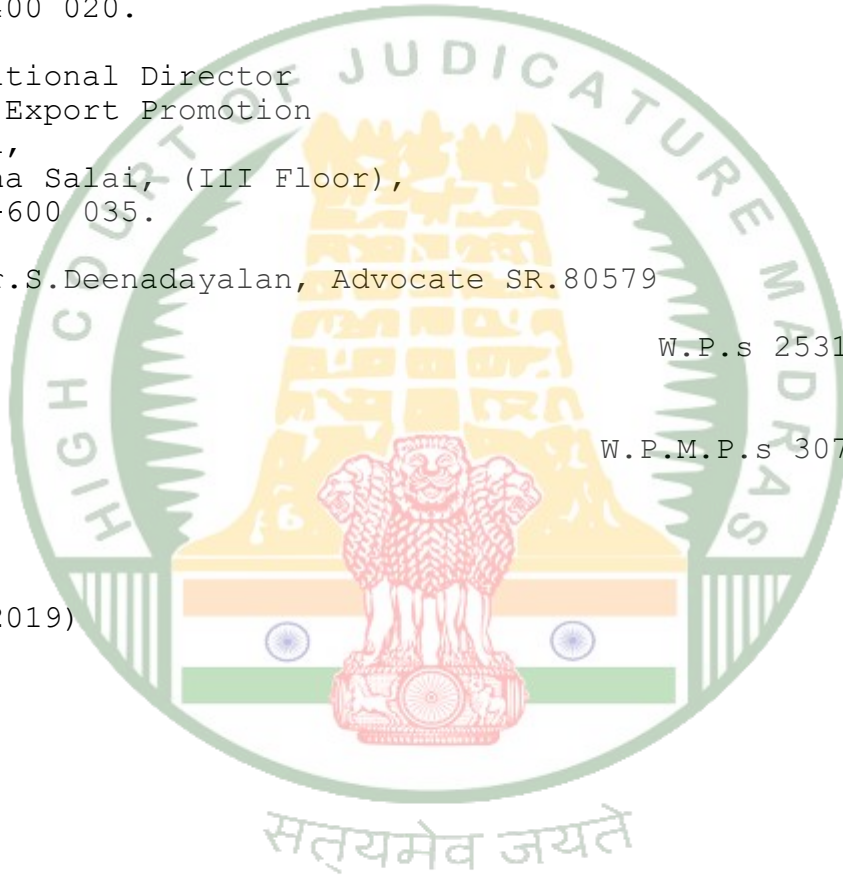
+1cc to Mr.S.Deenadayalan, Advocate SR.80579

W.P.s 25315 to 25317
of 2004
and

W.P.M.P.s 30778 to 30780
of 2004

(CO)

CB(31/10/2019)



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