

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.09.2019

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THE HONOURABLE Dr. JUSTICE ANITA SUMANTH

W.P.No.299 of 2010

M/s.GE Wind Energy,
A Division of GE India Industrial Private Limited,
Represented by its Authorised Officer
2nd Floor, Golden Enclave,
Corporate Towers, Airport Road,
Bangalore 560017 ...Petitioner

Vs.

1. Union of India
Rep.by the Joint Secretary,
Department of Revenue
Ministry of Finance
New Delhi.
2. Commissioner of Customs (Appeals),
Office of the Commissioner of Customs
(Appeals),
Customs House, Chennai
3. Deputy Commissioner of Customs (Drawback),
Office of the Commissioner of Customs
(Export)
Customs House,
Chennai. ...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent comprised in order datde 29.06.2009 bearing no.F.No.373/73/DBK/06-RA-CUS passed by the 1st respondent and quash the same and consequently direct the second respondent to consider the same and consequently direct the second respondent to consider the appeal filed by the petitioner under No.C.Cus.179/06 afresh and pass orders on merit.

For Petitioner : Ms.Janani S for
Mr.Rahul Balaji

For Respondents: Mr.Anu Ganesan for
Rajinish Pathiyil

O R D E R

The petitioner was specifically directed on 13.09.2019 to confirm the status of appeal stated to have been filed challenging the order rejecting drawback claim, which was filed belatedly. Learned counsel appearing for the petitioner today states that she has no instructions in regard to the same.

2. If the delay in regard to the appeal filed challenging the drawback claim has not been condoned, then this writ petition becomes academic and it was for this reason that the petitioner was specifically directed to obtain the status of the same, to no avail.

3. This writ petition has been filed in the 2010 and we are today in 2019. It appears evident to me that the petitioner has neither instructed the counsel nor does it evince any interest in pursuing the matter. This writ petition is thus dismissed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Joint Secretary,
Union of India
Department of Revenue
Ministry of Finance, New Delhi.
2. The Commissioner of Customs (Appeals),
Office of the Commissioner of Customs
(Appeals),
Customs House, Chennai.
3. The Deputy Commissioner of Customs (Drawback),
Office of the Commissioner of Customs (Export)
Customs House, Chennai.

+1 CC to Rajinish Pathiyil , Advocate sr 79941.

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VGII(CO)
SP(04/11/2019)