

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2020

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.14768 of 2013

and

M.P.No.1 of 2013

M/s.SLO Industries Ltd.,
Rep. by its Executive Director
Mr.Pratap Kumar Rakesh
having their registered office
at No.447/265, 2nd Floor,
P.H. Road, Aminjikarai,
Chennai - 600 029.

... Petitioner

vs

1.The Registrar,
Customs, Excise and Service Tax
Appellate Tribunal, South Zonal Bench,
Shastri Bhawan Annexe, 1st Floor,
26, Haddows Road,
Chennai - 600 006.

2.Central Board of Excise and Customs,
Rep. by its Chairman,
Department of Revenue
Ministry of Finance
Government of India,
North Block, New Delhi - 110 001.

3.The Commissioner of Central Excise,
O/O. the Commissioner of Central Excise,
Chennai -II Commissionerate,
MHU Complex, Nandanam,
Chennai - 600 035.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari calling for the records relating to the order passed by the 1st respondent in Misc. Order No.40889 2013 in Appln No.E/S/2/2012 in E/2/2012 dated 09.04.2013 and quash the same.

For Petitioner : M/s.Rita Chandra Sekaran for
M/s.Aiyar and Dolia

For Respondents: Mr.A.P.Srinivas
Senior Standing Counsel

O R D E R

Heard the learned counsel for the petitioner and the respondents.

2.The learned counsel for the petitioner submits that Interim Resolution Professional (IRP) has been appointed. Since the interest of the petitioner has to be represented only by the IRP and since there is no representation on behalf of the IRP, the present Writ Petition is liable to be dismissed.

3.Accordingly, the present Writ Petition is dismissed with liberty to the petitioner to restore the same either at the instance of the IRP or at the instance of the petitioner as and when the petitioner company comes out of the resolution proceedings before the NCLT. Recovery proceedings if any, shall be in accordance with law. No cost. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Registrar,
Customs, Excise and Service Tax
Appellate Tribunal, South Zonal Bench,
Shastri Bhawan Annexe, 1st Floor,
26, Haddows Road, Chennai - 600 006.
- 2.The Chairman,
Central Board of Excise and Customs,
Department of Revenue Ministry of Finance
Government of India,
North Block, New Delhi - 110 001.
- 3.The Commissioner of Central Excise,
Chennai -II Commissionerate,
MHU Complex, Nandanam,
Chennai - 600 035.

+1cc to M/s.Aiyar & Dolia, Advocate SR.4429
+1cc to M/s.A.P.Srinivas, Advocate SR.4627

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and M.P.No.1 of 2013

CP (CO)
CB (25/02/2020)



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