



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.Nos.2726 and 2727 of 2013 and
M.P.Nos.1, 1, 2 and 2 of 2013
and

W.P.Nos.2728 and 2729 of 2013 and
M.P.Nos.1 and 1 of 2013

M/s.Punjab Communications Ltd.,
represented by its authorised signatory,
B91-93, Phase VIII, Industrial Area
SAS Nagar, Mohali
Punjab-160 059.

... Petitioner in W.P.Nos.2726 and
2728 of 2013

M/s.Huawei Telecommunications (India) Co.Pvt.Ltd.
Represented by its Authorised Signatory
14th Floor, Tower-C
Unitech Cyber Park
Sector-39, Gurgaon
Haryana-122 002.

... Petitioner in W.P.Nos.2727 and
2729 of 2013

Vs

1.The Union of India,
through the Secretary, Ministry of Finance
Department of Revenue,
North Block, New Delhi-110 001.

2.The Assistant Commissioner of Customs (Gr5A & 5B),
Custom House, 60, Rajaji Salai, Chennai-600 001.

3.The Central Board of Excise and Customs (CBEC),
Department of Revenue, Ministry of Finance,
represented by its Chairman,
North Block, New Delhi-110 001.

4.The Customs, Excise and Service Tax Appellate Tribunal,
First Floor,WTC Building,
FKCCI Complex, KG Road,
Bengaluru-560 009.

... Respondents in all the W.Ps.



W.P.No.2726 of 2013 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to Circular No.967/01/2013-CX dated 01.01.2013 issued by the third respondent, quash the same and consequently forbear the 2nd respondent from recovering the duty demand pursuant to the order in Original No.01/2012-Adjn.(Cus) (Commr.) dated 17.02.2012.

W.P.No.2727 of 2013 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to Circular No.967/01/2013-CX dated 01.01.2013 issued by the third respondent, quash the same and consequently forbear the 2nd respondent from recovering the duty demand pursuant to the order in OIO No.01/2012-Adjn.(Cus) (Commr.) dated 17.02.2012 passed the Commissioner of Customs, Central Excise and Service Tax, Hyderabad II, Commissionerate, Hyderabad.

W.P.No.2728 of 2013 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the letter F.No.S49/305/2008-Gr.5A & 5B, dated 09.01.2013 issued by the second respondent, quash the same and consequently forbear the second respondent from recovering the duty demand pursuant to the Order in Original No.01/2012-Adjn.(Cus) (Commr.) dated 17.02.2012 passed the Commissioner of Customs, Hyderabad II Commissionerate.

W.P.No.2729 of 2013 filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the letter F.No.S49/305/2008-Gr.5A & 5B, dated 09.01.2013 issued by the second respondent, quash the same and consequently forbear the second respondent from recovering the duty demand pursuant to the Order in Original No.01/2012-Adjn.(Cus) (Commr.) dated 17.02.2012 passed the Commissioner of Customs, Hyderabad II Commissionerate, the third respondent herein.

For Petitioner : Mr.Lakshmi Kumaran
in all the W.Ps.

For Respondents : Mr.V.Sundareswaran
in all the W.Ps. Senior Panel Counsel for
Central Government for R1 to R3

COMMON ORDER

The learned counsel for the petitioners seek permission of this Court to withdraw these writ petitions. An endorsement has also been made to that effect.



2. In view of the submission and endorsement made by the learned counsel for the petitioners, the writ petitions are dismissed as withdrawn. No costs. Consequently, the connected miscellaneous petitions are also dismissed.

Sd/-
Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

KM
To

1. The Secretary,
Government of India,
Ministry of Finance
Department of Revenue,
North Block, New Delhi-110 001.
2. The Assistant Commissioner of Customs (Gr5A & 5B),
Custom House, 60, Rajaji Salai, Chennai-600 001.
3. The Chairman,
Central Board of Excise and Customs (CBEC),
Department of Revenue, Ministry of Finance,
North Block, New Delhi-110 001.
4. The Customs, Excise and Service Tax Appellate Tribunal,
First Floor, WTC Building,
FKCCI Complex, KG Road,
Bengaluru-560 009.

+2cc to Mr. Lakshmi Kumaran, Advocate SR.No.18393
+1cc to Mr. V. Sundareswaran, Advocate SR.No.18394
+1cc to Mr. T. Pramodkumar chopda, Advocate SR.No.19384

W.P.Nos.2726 and 2727
of 2013 and
M.P.Nos.1, 1, 2 and 2
of 2013
and
W.P.Nos.2728 and 2729
of 2013 and
M.P.Nos.1 and 1 of 2013

KSV (CO)
GMY (14/07/2020)