Ct. No. 26

Sl. 1

akb

04.01 2021

W.P.A. 8405 of 2020
With
IA. No. C.A.N. 1 of 2020
M/s. Anutham Exim Pvt. Ltd.
-Versus-
Union of India & Ors.

Mr. Narasimhan B.L.
Mr. Rahul Tangri
Ms. Udita Saraf ...**For the Petitioner**

Ms. Siddhartha Lahiri ...**For Respondents UOI**

Mr. K.K. Maiti
Ms. Aishriya Rajyashree ...**For the Respondents**

This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by the orders passed by the lower authority with regard to the provisional assessment requiring the petitioner to furnish the Bank Guarantee for 100% of the differential amount of customs duty as also an order dated December 07, 2020 passed by the Principal Commissioner of Customs, assessing the goods of the petitioner under a particular classification.

I have heard learned Counsel appearing on behalf of all the parties and perused the materials placed on record and upon suggestion of the Court the parties have consented to the following order being passed:-

a) The Customs Excise and Service Tax Appellate Tribunal (CESTAT) is directed to decide the main appeal bearing Customs Appeal No. 75195 of 2020 within a period of three weeks from date.

b) The petitioner shall be at liberty to pursue its remedy before the Customs Excise and Service Tax Appellate Tribunal (CESTAT) against the order passed by the Principal Commissioner of Customs dated December 07, 2020 as well as the order dated December 15, 2020 passed by the Deputy Commissioner of Customs before the Appellate Authority.

With the above observations, this writ petition is disposed along with the application being IA No. CAN 1 of 2020.

Since, no affidavit-in-opposition has been called for, the allegations made in the writ petition are deemed to have not been admitted by the respondents.

There will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties, on priority basis.

(Shekhar B. Saraf, J.)