

22.05.2024
Item No.3
gd/ssd

MAT/792/2024
IA NO: CAN/1/2024
KRISHNA SUDAMA MARKETING PRIVATE LIMITED
VS
UNION OF INDIA AND ORS.

Mr. J.P. Khaitan, Id. Senior Advocate,
Mr. Pranit Bag,
Ms. Amani Kayan,
Ms. Zubeen Pandey
..for the Appellant.

Mr. Vipul Kundalia,
Mr. Amit Sharma,
Mr. Anurag Roy
..for the Respondents.

1. We have heard the learned counsel for either of the parties.

2. On 16.05.2024 the matter was heard at length and at the request of the learned senior counsel appearing for the appellant, the matter was adjourned and was directed to be listed under the caption "To Be Mentioned" today.

3. The learned senior advocate submitted that leave may be granted to the appellant to withdraw the writ petition and urge all points before the adjudicating authority who may be directed to decide the matter uninfluenced by the observations made in the impugned order passed in the writ petition.

4. Since the writ petition has been dismissed by the impugned order giving certain reasons, at this

juncture to withdraw the writ petition may be a difficult proposition.

5. However, in the light of the stand taken by the appellant that they wish to contest the matter before the adjudicating authority, we dispose of this appeal giving liberty to the appellant to go before the adjudicating authority and raise all contentions including the contentions which were raised in the writ petition and the adjudicating authority shall decide the same independently uninfluenced by any observations made in the impugned order passed in the writ petition.

6. With the above observations, the appeal stands disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)