

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.5065 of 2019

In
Civil Writ Jurisdiction Case No.7517 of 2017

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Steel Fab Industries, having its Office at Choti Pahari NH 30 P.S. Agam Kuan through its proprietor Jaspal Singh son of Shri. Gurdyal Singh, resident of B 9, P.O. Lohia Nagar, P.S. Patrakar Nagar, District-Patna.

... .. Petitioner/s

Versus

1. Union of India through the Secretary, Ministry of Finance, North Block, New Delhi.
2. Commissioner of Central Excise and Service Tax having its office at Central Revenue Building, Beer Chand Patel Marg, Patna.
3. Joint Commissioner, Central Excise and Service Tax, Patna.
4. Asst. Commissioner, Central Excise and Service Tax, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Sadashiv Tiwari, Advocate
For the U.O.I.	:	Mrs. Parul Prasad, CGC
		Mr. Aditya Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
and
HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE PARTHA SARTHY)

2 06-02-2026 Heard learned counsel for the parties.

2. Perused the office note dated 5.2.2026, according to which the Stamp Reporter has raised an objection with respect to maintainability of the instant application.

3. The instant application has been filed praying for restoration of CWJC no.7517 of 2017, which was permitted to be withdrawn by order dated 26.9.2019. The order dated 26.9.2019 is reproduced herein below for ready reference :-



“After some arguments, in view of judgment passed in W.P(T) No. 4858 of 2015 & analogous cases by the Jharkhand High Court which judgment has been affirmed by the Hon’ble Supreme Court in SLP (C) No. 31297 of 2016 with SLP (C) 31643 of 2016, learned counsel for the petitioner seeks permission to withdraw this petition.

In such view of the matter, this petition is permitted to be withdrawn.”

4. In our opinion, the writ application (CWJC no.7517 of 2017) having been withdrawn by learned counsel for the petitioner, as rightly pointed out by the Stamp Reporter, the restoration application will not be maintainable.

5. The application is disposed of as not maintainable.

(Partha Sarthy, J)

(Rajiv Roy, J)

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