

IN THE HIGH COURT OF SIKKIM
CIVIL EXTRA ORDINARY JURISDICTION

W. P. (C) No. 28 OF 2016

M/s Zydus Wellness Sikkim,
Near Mamring Power House,
Mamring Block,
Namthang Ilaka, Mamring,
South Sikkim, Sikkim ----- Petitioner.

-VERSUS-

1. Union of India,
Ministry of Finance, New Delhi.
2. Ministry of Finance,
Through Joint Secretary (Revenue),
Department of Revenue, Room No. 46,
North Block, New Delhi - 110 001.
3. The Commissioner, Customs,
Central Excise & Service Tax,
Gangtok Division, 4th Floor, C. R. Building,
Haren Mukherjee Road, Hakimpura, Siliguri.
4. The Branch Manager,
Bank of Baroda, Ashram Road Branch,
Opposite Natraj Cinema, Ashram Road,
Ahmedabad, Gurjarat
Thorough its local office at Gangtok at
New Market, M. G. Marg,
Gangtok East Sikkim - 737 101. ----- Respondents.

PETITIONER
ADVOCATE (S)
FOR ----- Mr. J. K. Chandak and Ms. Nisha Gurung.

RESPONDENT
ADVOCATE (S)
FOR -----

Case No.

Serial No.	Date	Order (s) with Signature (s)
1	2	3
02.	05.10.16	WP (C) No. 28/2016 M/s. Zydus Wellness Sikkim vs. Union of India & Ors. BEFORE MR. JUSTICE SATISH K. AGNIHOTRI, CJ & MRS. JUSTICE MEENAKSHI MADAN RAI, J. Present: Mr. J. K. Chandak, Advocate for the Petitioner. Mr. B.K. Gupta, Advocate for the Respondents. ... Heard. This is an application (I.A. No.02 of 2016) seeking withdrawal of the Writ Petition on the ground that the Petitioner had chosen to prefer an Appeal against the Order sought to be impugned in the instant Writ Petition, stating that nothing survives for adjudication, at this stage. Learned Counsel appearing for the Respondents strongly opposes the Application and submits that a cost may be imposed. Be that as it may, since the Petitioner has chosen a proper Forum to question the correctness of the impugned Order, there is no reason not to permit the petitioner to withdraw the Writ Petition. Thus, the Application is allowed. Consequently, the Writ Petition is dismissed as withdrawn.  Judge 05.10.2016  Chief Justice 05.10.2016

jk/ds Index : Yes / No
Internet : Yes / No