

IN THE HIGH COURT OF KARNATAKA

CIRCUIT BENCH AT GULBARGA

Dated: This the 21st day of April, 2011

PRESENT

THE HON'BLE MRS. JUSTICE MANJULA CHELLUR

AND

THE HON'BLE MR. JUSTICE ARAJI NAGARAJ

WRIT PETITION NO. 80672/2010

BETWEEN:

THE GENERAL MANAGER
BHARATH SANCHAR NIGAM LIMITED
GULBARGA.

... PETITIONER

(By Sri. SHARAD KUMAR PUJARI, ADV)

AND:

THE COMMISSIONER OF CENTRAL EXCISE
AND CUSTOMS(APPEALS)BANGALORE ... RESPONDENT

(By Sri./Smt : ARCHANA P TIWARI, Addl.Solicitor General)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER PASSED BY THE ASSISTANT COMMISSIONER, CENTRAL EXCISE, BELGAUM IN FILE C.NO.IV/11/65/94/STAT DATED 24.08.1998 UNDER ORDER NO.11/98 AS PER ANNEXURE 'A' AND ORDER IN APPEAL NO.19/2000 DATED 6.3.2000 WHICH IS AT ANNEXURE 'C' PASSED BY THE COMMISSIONER OF

CENTRAL EXCISE AND CUSTOMS (APPEALS) BANGALORE
AS WELL AS ORDER IN APPEAL NO.ST/COD/308/07;
ST/5/2001 DATED 5.10.2009 WHICH IS AT ANNEXURE 'J'
PASSED BY THE CESTAT BANGALORE.

THIS WRIT PETITION COMING ON FOR ORDERS THIS
DAY, MANJULA CHELLUR J., MADE THE FOLLOWING:

ORDER

Heard the learned Counsel for the petitioner and also
the learned Assistant Solicitor General, Smt. Archana P.
Tiwari.

In view of the statutory appeal provided under section
35 of the Service Tax Act to challenge the order of the
Customs, Excise & Service Tax Appellate Tribunal, this writ
petition is not maintainable.

Accordingly, the petition is dismissed.

Sd/-
JUDGE

Nsu/-