

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 28.09.2012

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN

Writ Petition Nos.29629 and 29630 of 2010
and
M.P.Nos.1 to 1 of 2011

1.Genesis Colors Private Limited
2.Genesis Luxury Fashion Private Limited
3.Burberry India Private Limited
All at:3A-1, Rao Tula Ram Marg,
New Delhi-110022 ..Petitioner in both W.P.'s.

Versus

1.Union of India
Rep by:Secretary,
Department of Revenue, Ministry of Finance,
Government of India,
North Block,
New Delhi 110 001
2.Central Board of Excise and Customs
North Block,
New Delhi 110 001.
3.Chief Commissioner of Central Excise & Service Tax,
26/1, Uttamar Gandhi Salai,
Nungambakkam,
Chennai-600 034.
4.Express Infrastructure Pvt. Ltd,
Rep. By its Authorized Signatory
No.2, Club House Road,
Anna Salai, Chennai-600002.
(R4 impleaded as per order
dated 20.7.2012 by PPSJJ in
M.P.Nos.1 and 1 of 2011 ... Respondents in both
W.P.'s

Prayer in W.P.No.29629 of 2010: This petition has been filed seeking for a writ of declaration declaring the provisions of Section 65 (105) (zzzz) and Section 65(90a) of the Finance Act, 1994 as amended by Finance Act, 2010, as arbitrary, ultra vires Article 14, 246, 265, among others, of the Constitution of India, and null and void.

Prayer in W.P.No.29630 of 2010: This petition has been filed seeking for a writ of declaration declaring the provisions of Section 77 of the Finance Act, 2010 as arbitrary, ultra vires Article 14, 246, 265, among others, of the Constitution of India, and null and void.

For Petitioner : Mr.R.Raghavan
(in both W.P.'s)
For Respondents : Mr.V.Sundareswaran (R1 to R3)
(in both W.P.'s) Central Government Senior
standing Counsel
M/s.Surana and Surana (R4)

C O M M O N O R D E R

These writ petitions were listed under the caption 'for withdrawal', based on the Memo of withdrawal, dated 15.09.2012, submitted by the learned counsel appearing for the petitioners. The learned counsel appearing for the petitioners had also sought the permission of this Court to withdraw these writ petitions.

2. Based on the submission made by the learned counsel appearing for the petitioner and in view of the Memo of Withdrawal, dated 15.09.2012, submitted by the learned counsel for the petitioners, these writ petitions are dismissed, as withdrawn. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/
Asst. Registrar

/true copy/

Sub Asst.Registrar

arr

To

2.The Secretary,
Department of Revenue, Ministry of Finance,
Government of India, North Block, New Delhi 110 001

2.Central Board of Excise and Customs
North Block, New Delhi 110 001.

3.The Chief Commissioner of Central Excise & Service Tax,
26/1, Uttamar Gandhi Salai, Nungambakkam, Chennai-600 034.

+ 1 cc to Mr.R. Raghavan, Advocate SR.60765

+ 1 cc to Mr.V. Sundareswaran, Advocate Sr.61184

Writ Petition Nos.29629 and 29630 of 2010

DM(CO)

Eu 2.11.12