



W.P. (C) No. 41 of 2021

M/S ALKEM LABORATORY LTD.

.... PETITIONER

VERSUS

UNION OF INDIA & ANR.

.... RESPONDENTS

DATE: 25.02.2022

CORAM:

HON'BLE MR. JUSTICE BHASKAR RAJ PRADHAN, J.

For Petitioner : Mr. Mahesh Bhagwan Raichandani,
Advocate.
Mr. Ranjit Prasad, Advocate.

For Respondent : Mr. Ajay Rathi, learned Senior Standing
Counsel.
Mr. D.K. Agarwal, Junior Standing
Counsel.

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Heard Mr. Mahesh Bhagwan Raichandani learned counsel for the petitioner at length. Also heard Mr. Ajay Rathi, learned Senior Standing Counsel for the respondents. All the points raised by the petitioner can be raised before the Appellate Forums provided in the Central Excise Act, 1944. The learned counsel for the petitioner on receipt of instructions from his client desires to avail of the alternative remedy available to challenge the impugned order in original No.9/Adj/CE/ALKEM LAB/Gtk-Divn/21-22 dated 30.07.2021 as well as the show cause-cum-demand notice C No.V(18) 103/CE/Ref/Alkem Lab/Gtk-Div/2017-18/380 dated 13.03.2020. The learned counsel prays that the time spent in pursuing the present writ petition may be favorably



considered by the learned Commissioner (Appeals) when the appeal is filed. The petitioner may file the appeal within a period of 15 days hence. On so doing, the learned Commissioner (Appeals) may consider favorably the time spent by the petitioner in pursuing the present writ petition and decide the appeal on merits. The writ petition stands disposed as withdrawn.

Judge

to/ **Index: yes/No**
Internet: yes/No