
(2022) 02 SIK CK 0036
In the Sikkim High Court
Case No : Writ Petition (C) No. 42 Of 2021

M/S Alkem Health Science

APPELLANT

Vs

Union Of India & Anr

RESPONDENT

Date of Decision : 25-02-2022

Acts Referred:

Citation : (2022) 02 SIK CK 0036

Hon'ble Judges : Bhaskar Raj Pradhan, J

Bench : Single Bench

Advocate : Mahesh Bhagwan Raichandani, Ranjit Prasad, Ajay Rathi, D.K. Agarwal

Final Decision : Disposed Of

Judgement

Bhaskar Raj Pradhan, J

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.10/Adj/CE/ALKEM HEALTH/Gtk-Div/2021-22 dated 30.07.2021 as well as the show cause-cum-demand notice C No.V(18) 104/CE/Ref/Alkem Health/Gtk-DIVN/2017-18/347 dated 02.03.2020. 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 The writ petition stands disposed as withdrawn.