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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6148/2025 & CM APPL. 10814/2026**

M/S CHETANYA BUILDCON PVT LTD & ANR.Petitioners

Through: Adv. (appearance not given)

Versus

COMMISSIONER CGST NEW DELHIRespondent

Through: Sh. Atul Tripathi, SSC, CBIC with
Mr. Shubham Mishra, Mr. Gaurav
Mani Tripathi, Mr. Akshay, Adv.

CORAM:
HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE
HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER
17.02.2026

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1. On instructions, a prayer for withdrawal is made by the counsel for the petitioner as the petitioner has already availed the remedy of filing an appeal against the Order-in-Original before the Customs, Excise And Service Tax Appellate Tribunal (**'CESTAT'**).
2. The present writ petition is accordingly stands dismissed as withdrawn.
3. However, this will not preclude the petitioner from contesting the claim before the Tribunal as regards to dispense with the conditions of pre-deposit as is statutorily mandated under Section 35(f) of the Act.
4. Pending application also stands disposed of.



5. Order be uploaded on the website of this Court.

NITIN WASUDEO SAMBRE, J

AJAY DIGPAUL, J

FEBRUARY 17, 2026/sky/ok