

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).24418/2009

(From the judgement and order dated 28/08/2009 in WA No.1208/2009 of The HIGH COURT OF MADRAS)

M/S GOLD QUEST INTERNATIONAL PVT.LTD.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for permission to file additional documents, prayer for interim relief and office report)

With Writ Petition (C) No.472 of 2009
(With appln.(s) for directions and office report)

Date: 09/10/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE AFTAB ALAM

For Petitioner(s)

Mr. Krishnan Venugopal, Sr. Adv.
Mr. Subramaniam, Adv.
Mr. Sriram, Adv.
Mr. Harshad V. Hameed, Adv.
Mr. Kuriakose Varghese, Adv.
Mr. K. Rajeev, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

S.L.P. (C) No.24418 of 2009:

We agree with the High Court that, in this case, writ petition filed by the petitioner herein ...2/-

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was misconceived, particularly when the writ petition was instituted against the show cause notice dated 21st May, 2008. In such matters, the Department cannot be stopped from adjudication. In fact, in this case, the petitioner has not even replied to the show cause notice. In the circumstances, the special leave petition is dismissed. However, we extend time to file reply to the show cause notice within a period of six weeks.

A grievance has been made by the petitioner herein that its petition under Section 482 of the Code of Criminal Procedure, 1973, [for short, "the Code"] is pending in the High Court seeking access to the office premises which have been sealed by CB-CID of Tamil Nadu. We express no opinion on that aspect of the case. It would be open to the petitioner to work out their rights in accordance with law as far as pending petition under Section

482 of the Code is concerned.

Writ Petition (C) No.472 of 2009:

The writ petition is dismissed as
withdrawn.

[T.I. Rajput]
A.R.-cum-P.S.

[Madhu Saxena]
Court Master