

ITC Limited and Another Vs. Union of India and Others

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Court : Mumbai Nagpur

Decided On : Apr-25-2016

Judge : B.R. Gavai & The Honourable Mrs. Justice Swapna Joshi

Appeal No. : Criminal Writ Petition No. 313 of 2016

Appellant : ITC Limited and Another

Respondent : Union of India and Others

Judgement :

P.C.

1. Leave to correct the nomenclature of respondent no.4. Correction be carried out during the course of the day. Issue notice to the respondents returnable on 7.6.2016.

2. Prima facie, we are of the view that the notification would apply prospectively, i.e. from 1.4.2016 and the restriction in the notification imposed would apply to manufacture of the goods. As such, prima facie we are of the view that the restriction would apply only to such of the goods which are manufactured from 1.4.2016.

3. In that view of the matter, there shall be ad-interim relief in terms of prayer clause (c) with a clarification that the said interim relief shall apply only to such of the goods which are manufactured prior to 1.4.2016.

4. Mrs. Mugdha Chandurkar, learned Advocate waives notice for respondent no.1.
5. Mr. D.P. Thakare, learned Addl. P.P. waives notice for respondent Nos.2, 3 and 4.

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