

OpusIndia and ors. Vs. Union of India (Uoi) and anr.

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Court : Allahabad

Decided On : Aug-04-1989

Reported in : 1990(25)ECC410

Judge : K.C. Agarwal and; R.K. Gulati, JJ.

Appeal No. : Civil Miscellaneous Writ Petition No. 1954 of 1988

Appellant : OpusIndia and ors.

Respondent : Union of India (Uoi) and anr.

Disposition : Petition dismissed

Judgement :

ORDER

1. This writ petition under Article 226 of the Constitution has been filed by OPUSINDIA, Industrial Moulding and Combines, and ADVANCE DEVICES for quashing of the order dated 18/11/1988, on the ground that the Assistant Collector wrongly interpreted the impugned notification dated 22.9.1987. The petitioners alternatively claimed that they were entitled to concession under the same and the authorities had wrongly denied them the benefit of concession.

2. Since an appeal under Section 35B can be filed by the petitioners challenging the aforesaid order, which would be more efficacious in the circumstances of the present case, we decline to interfere under Article 226 of the Constitution

3. The writ petition is dismissed.

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