

SLP(C)No. 2319 OF 2005
ITEM No.38

Court No. 2

SECTION III
A/N MATTER

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No.2319/2005

(From the judgement and order dated 08/10/2004 in WP 16227/04
of The HIGH COURT OF DELHI AT N. DELHI)

G.R.BATRA

Petitioner (s)

VERSUS

UNION OF INDIA & ANR.

Respondent (s)

(With prayer for interim relief)

Date : 10/05/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE N. SANTOSH HEGDE
HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE MR. JUSTICE B.N. SRIKRISHNA

For Petitioner (s)Mr. Indu Malhotra, Adv.
Mr. Vikas Mehta, Adv.

For Respondent (s)Mr. R. Mohan, ASG.
Mr. P. Parmeswaran,Adv.

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

Heard learned counsel for the parties.

Leave granted.

The appeal is allowed in terms of the signed order.

(PAWAN KUMAR) (PHOOLAN WATI ARORA)
COURT MASTER COURT MASTER
(signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3293 OF 2005
(arising out of SLP(C) No.2319 of 2005)

G.R. BatraAppellant

Versus

Union of India & Anr.Respondents

O R D E R

Heard learned counsel for the parties.
Leave granted.

The appeals before the tribunal came to be dismissed for non-deposit of pre-deposit amount as directed by the tribunal which was to the extent of Rs.20 lacs. We are now informed that the said amount of Rs.20 lacs has since been deposited before the tribunal. In view of the said fact we think it just and proper that the impugned order of dismissal should be set aside and the tribunal be directed to hear the appeal on merits. It is stated that the deposit has been made with the Dy. Commissioner of Customs, Thirivananthapuram vide Pay Order No.033491 dated 5.4.2005.

The appeal is allowed.

.....J.
(N. SANTOSH HEGDE)

.....J.
(S.B. SINHA)

.....J.
(B.N. SRIKRISHNA)

NEW DELHI,
MAY 10, 2005.