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ITEM NO.8

COURT NO.4

SECTION III

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

INTERLOCUTORY APPLICATION NO. 1 OF 2013 IN
Petition(s) for Special Leave to Appeal (Civil) No(s).8943/2013

(From the judgement and order dated 29/10/2012 in CMA No.1788/2012 in OWP
No.1282/2012 of The HIGH COURT OF J & K AT JAMMU)

BHARAT SANCHAR NIGAM LTD.

Petitioner(s)/
Applicant(s)

VERSUS

COM. CENTRAL EXCISE & SERV.TAX,JAMMU &AN

Respondent(s)

(for rectification/modification of Court's Order dated 4.3.2013
and office report)

Date: 15/07/2013 This IA was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.M. LODHA

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s)/

For Applicant(s) Mr. Sameer Aggarwal, Adv. for
Mr. Krishan Kumar,Adv.

For Respondent(s)

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

The order dated March 4, 2013 passed by this Court after
the sentence "Special Leave Petition is dismissed." shall be read as
follows :

"However, in case, the petitioner complies with the order of
Customs, Excise and Service Tax Appellate Tribunal (CESTAT) as
modified by the High Court in its order dated October 29, 2012
within three weeks from today, the compliance shall be treated
within time and the CESTAT shall hear the appeal on merits."

It is clarified that in case the sum of Rs. 1
Crore as directed by the High Court in its order dated October 29,
2012 has been deposited by the petitioner within three weeks from
March 4, 2013 and if the cheque of that amount has been returned back
to the petitioner and the petitioner redeposited the cheque on March
30, 2013, the compliance shall be treated within time. It is made
clear that if the above statement which has been recorded on the basis
of oral statement of the learned counsel for the applicant-petitioner
is found to be incorrect, the appeal before the CESTAT shall stand
dismissed without further consideration.

Interlocutory Application No. 1 of 2013 stands disposed of
as above.

|(Rajesh Dham)
|Court Master

|(Renu Diwan)
|Court Master

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