

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).7724/2007

(From the judgement and order dated 04/04/2007 in CMWP No.1094/2005 of the HIGH COURT OF JUDICATURE AT ALLAHABAD)

M/S TRIVENI GLASS LTD.

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.

Respondent(s)

(With appln(s) for permission to place addl. documents on record and exemption from filing copies of annexures and with prayer for interim relief and office report)

Date: 09/01/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA
HON'BLE MR. JUSTICE B. SUDERSHAN REDDYFor Petitioner(s) Mr. Lakshmi Kumaran, Adv.
Mr. Monish Panda, Adv.
Mr. M.P.Devanath,Adv.For Respondent(s) Mr. I. Venkatanarayana, Sr.Adv.
Mr. Navin Prakash, Adv.
Mr. Sushil Kumar, Adv.
Mr. B. Krishna Prasad,Adv.UPON hearing counsel the Court made the following
ORDER

Delay in pre-deposit was caused by the fact that the bond was not cleared by the competent authority for one year. We are, therefore, of the view that the assessee herein need not be asked to deposit any further amount over and above Rupees Ten Crores. However, it may be added that the assessee has also furnished a surety which creates a charge on the property of the company. We are informed that the property covered by the surety is free from all encumbrances. If so, the surety may be accepted by the competent authority. This position may be

1

checked by the Department.

If above conditions are satisfied, we direct restoration of the Appeal before the Tribunal. The Tribunal is directed to hear and dispose of the Appeal as expeditiously as possible, preferably, within six months from today.

Special Leave Petition is disposed of accordingly.

