

R

C.A.No. 5055 OF 2000  
ITEM NO.117

COURT NO.09

SECTION III

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

CIVIL APPEAL NO.5055 OF 2000@@  
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC

M/S. UNITED REPACKAGING ... APPELLANT(S)

VERSUS

COMMNR., CENTRAL EXCISE, CALCUTTA ... RESPONDENT(S)  
(with office report)

Date: 27/02/2003. This matter was called on for hearing today.@@  
AAAAAAAAAA

CORAM:

HON'BLE MR. JUSTICE S.N. VARIAVA  
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Appellant(s) Mr.Raj Kumar Gupta, Adv.  
Mr. A.N. Bardiyar, Adv.

For Respondent (s) Mr. K.C. Kaushik, Adv.  
Mr. B. Krishna Prasad, Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....T.....J.  
.SP2

This Court had, by an order dated 30th March, 2001, directed the appellant to furnish a bank guarantee of a nationalised bank in favour of the Commissioner, Central Excise, Calcutta in a sum of Rs.3.50 Lakhs to the satisfaction of that officer. Thereafter, I.A. No.3 of 2001 was taken out for modification/variation of that order by directing the Appellant not to furnish the bank guarantee. That I.A. was dismissed on 10.9.2001. The office report shows that till date the bank guarantee has not been furnished. Learned counsel for the appellant requests for four weeks further time to obtain instructions. Adjourned for four weeks. It is, however, clarified that till the bank guarantee is furnished, there is no prohibition against enforcing the impugned demand.

.SP1

(K.K. Chawla)  
Court Master

(Jasbir Singh)  
Court Master