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C.A.No. 5802-5804 OF 2000

ITEM No.7

Court No. 8

SECTION III

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

IA No 7-9 In Civil Appeal.No.5802-5804/2000

COMMNR. OF CENTRAL EXCISE, MEERUT

Appellant (s)

VERSUS

M/S. SAMTEL ELECTRON DEVICES LTD.& ORS.

Respondent (s)

(With Appln(s). for directions)

(With Office Report)

Date : 26/02/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SYED SHAH MOHAMMED QUADRI

HON'BLE MR. JUSTICE S.N. PHUKAN

For Appellant (s)

Mr. B. Krishna Prasad,Adv.

For Respondent (s)

Mr.V. Lakshmikumaran,Adv.

Mr. V. Balachandran,Adv.

UPON hearing counsel the Court made the following

O R D E R

.....L.....I..T.....T.....T.....T.....T.....T.....J..T....R

.SP2

On October 10, 2000, we ordered, inter alia,

.SP1

"Appeal is admitted.

We are not inclined to grant stay of the order under challenge. However, we direct that there should be no refund of the amount if already paid by the respondent."

.SP2

It appears before passing of that order the revenue has already refunded a sum of Rs.2 crores which was deposited with the revenue pending disposal of the appeal before CEGAT. If that be so, our order does not authorise the revenue to claim the amount which has already been refunded. The applications are accordingly ordered.

.SP1

[Naresh Kumar]
Court Master

[Kanwal Singh]
Court Master