

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

Petition(s) for Special Leave to Appeal (Civil) No(s).18000/2013

(From the judgement and order dated 26/04/2013 in WP No.9577/2013,WPMP No.11929/2013 of The HIGH COURT OF A.P AT HYDERABAD)

M/S MAHESWARI BROTHERS COAL LTD.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(With appln(s) for permission to file additional documents and prayer for interim relief and office report)

WITH SLP(C) NO. 18002 of 2013

(With prayer for interim relief and office report)

SLP(C) NO. 18004 of 2013

(With prayer for interim relief and office report)

SLP(C) NO. 19927 of 2013

(With prayer for interim relief and office report)

SLP(C) NO. 20043 of 2013

(With prayer for interim relief and office report)

Date: 27/09/2013 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIL R. DAVE

HON'BLE MR. JUSTICE DIPAK MISRA

For Petitioner(s)

Mr. Ranjan Kumar,Adv.

Mr. C. Manickam, Adv.

For Respondent(s)

Mr. K. V. Vishwanathan, ASG

Ms. Sunita Rani, Adv.

Ms. Binu Tamta, Adv.

for Mr. B. Krishna Prasad,Adv.(Not Present)

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

Leave granted.

The appeals are allowed in terms of the signed order.

| (Sonia)
| Sr. P.A.

| | (Sneh Bala Mehra)
| | Court Master

(Signed order is placed on the file)
SUPRME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

CIVIL APPEAL NO.8795 OF 2013
@ SLP (Civil) No. 18000/2013

WITH

CIVIL APPEAL NO. 8796 OF 2013
@ SLP(C) NO. 18002 of 2013

WITH

CIVIL APPEAL NO.8797 OF 2013
@ SLP(C) NO. 18004 of 2013

WITH

CIVIL APPEAL NO. 8798 OF 2013
@ SLP(C) NO. 19927 of 2013

WITH

CIVIL APPEAL NO. 8799 OF 2013
@ SLP(C) NO. 20043 of 2013

M/S MAHESWARI BROTHERS COAL LTD.

Appellant(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

O R D E R

Leave granted in each Special Leave Petition.

These appeals have been filed against interim orders passed by the High Court.

We have heard the learned counsel and have also perused the counter affidavit filed by the Union of India.

Looking at the facts of the case and upon hearing the learned counsel, we modify the interim orders passed by the High Court to the following effect:

The goods shall be released upon payment of 30% of the differential duty and so far as remaining 70% of the amount of differential duty is

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concerned, the appellants shall provide security in the nature of immovable property to the satisfaction of the concerned authority and upon furnishing the security as well as the payment of cash, the goods shall be released without payment of entire differential duty.

We also request the High Court to hear W.P. No. 9577 of 2013 and other matters, if any, at an early date and preferably within two months from the receipt of this order by the High Court. We are sure

that the learned counsel appearing before the High Court shall render their cooperation to the High Court so that the petition/petitions can be disposed of at an early date.

The appeals are allowed.

No order as to costs.

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.....J.
(ANIL R. DAVE)

.....J.
(DIPAK MISRA)

New Delhi,
September 27, 2013