

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

CIVIL APPEAL NO. 4479 OF 2006

COMMNR. OF CUSTOMS (I)

Appellant (s)

VERSUS

M/S. AASU EXIM PVT. LTD.

Respondent(s)

(With appln(s) for permission to place addl. documents on record, stay, permission to place addl. documents on record and exemption from filing legible copies of Annexures and office report)
(FOR FINAL DISPOSAL)

Date: 19/11/2007 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.B. SINHA

HON'BLE MR. JUSTICE H.S. BEDI

For Appellant(s) Mr. K. Radhakrishnan, Sr.Adv.
Mr. T.V. Ratnam,Adv.
Mr. B. Krishna Prasad,Adv.

For Respondent(s) Mr. M.P. Devanath,Adv.
Mr. Monish Panda,Adv.

UPON hearing counsel the Court made the following
ORDER

An application has been filed by the respondent herein, affirmed by one Shri

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Raj Kumar Kaushik, Director of the respondent company, stating that the appellant has encashed the bank guarantee of Rs.1.35 crores deposited by the respondent company. Having heard the learned counsel for the parties, we direct the appellant to return the said amount to the respondent subject to the condition that a fresh bank guarantee shall be filed for the same amount within three weeks.

(A.S. BISHT)
COURT MASTER(USHA SHARMA)
COURT MASTER