

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).14460/2006

(From the judgement and order dated 17.4.2006 in WP No. 344/06  
of The Division Bench of the HIGH COURT OF JUDICATURE AT BOMBAY)

M/s. ATCO INDUSTRIES LTD.

Petitioner(s)

VERSUS

UNION OF INDIA & ANR.  
s)

Respondent (

(With appln. for permission to place addl. documents on record and With prayer for  
interim relief)

Date: 12/03/2007 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE P.K. BALASUBRAMANYAN

For Petitioner(s)

Mr. A.R.Madhav Rao,Adv.

Mr. Alok Yadav,Adv.

Mr. M.P.Devnath,Adv.

For Respondent(s)

Mr. P.P.Malhotra,Sr.Adv.

Ms. Shweta Garg, Adv.

Mr. B.K.Prasad, Adv.

UPON hearing counsel the Court made the following

O R D E R

Leave granted.

The Appeal is disposed

of.

[SUMAN WADHWA]

[MADHU SAXENA]

COURT MASTER

COURT MASTER

Signed order is placed on

the file.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2007

(Arising out of SLP(C) No. 14460 of 2006)

M/s. ATCO INDUSTRIES LTD.

.. APPELLANT

vs.

UNION OF INDIA & ANR.

...RESPONDENTS

O R D E R

Leave granted.

Having regard to the facts and circumstances of this case and particularly taking into account the admissibility of modvat credit, ends of justice would be sub-served if the assessee (appellant herein) is directed to deposit Rs.25,00,000/- (twenty five lacs) within six weeks from today. On such deposit, the Tribunal will restore the appeal and decide the appeal on merits.

The Appeal is disposed of.

.....J.

(S.H. KAPADIA)

.....J.

(P.K. BALASUBRAMANYAN)

NEW DELHI;

MARCH 12, 2007.

[SUMAN WADHWA]

[MADHU SAXENA]

COURT MASTER

COURT MASTER