

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).16281/2006

(From the judgment and order dt. 23.3.2006 In A.No.C/149/2005
of the Principal Bench of the Customs Excise and Service
Tax Appellate Tribunal, New Delhi)

M/S MAHAVIR MIRROR INDUSTRIES

Petitioner(s)

VERSUS

THE DESIGNATED AUTHORITY & ORS

Respondent(s)

WITH Civil Appeal NO. 4340 of 2006

(With appln. for ex parte stay and office report)

Date: 19/10/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE ALTAMAS KABIR

For Petitioner(s)

Mr. Joseph Vellapally, Sr. Adv.

Mr. T.V. Lakshman, Adv.

Ms. Srikala Gurukrishna Kumar, Adv.

Ms. Gauri Ghuman, Adv.

For Respondent(s)

Mr. D.A. Dave, Sr. Adv.

Mr. Sarad Bansali, Adv.

Mr. Jitendra Singh, Adv.

Ms. Meenakshi Arora, 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 2006

(Arising out of SLP(C) No. 16281/2006)

MAHAVIR MIRROR INDUSTRIES

.. APPELLANT

vs.

THE DESIGNATED AUTHORITY

& ORS.

.. RESPONDENTS

WITH

CIVIL APPEAL NO. 4340 OF 2006

O R D E R

Leave granted.

In the present matter we do not find fault with the reasoning given by the Tribunal in the impugned judgment.

However, in this case which concerns imposition of anti-dumping duty, we are required to take an undertaking from the appellant that during the pendency of the appeal which involves question of law it will not make any further imports of the subject goods. This undertaking will be filed in the form of an affidavit in the course of today.

The appellant undertakes to withdraw the appeal and

writ petitions filed by it, which are pending in the Madras High

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Court. Subject to above, we set aside the impugned order and we request the Tribunal to give one more opportunity of hearing to the appellant and decide the matter in accordance with law within four months.

Accordingly the appeals are disposed of.

.....J.

(S.H.KAPADIA)

.....J.

(ALTAMAS KABIR)

NEW DELHI ;

OCTOBER 19, 2006.