

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

I.A. No. 1 IN CIVIL APPEAL NO(s). 641 OF 2012

SAFETY RETREADING CO. PVT.LTD.

Appellant (s)/
Applicant(s)

VERSUS

COMM.OF CUSTOMS & CENT.EXCISE,SALEM
(For stay and office report)

Respondent(s)

Date: 07/05/2012 This Application was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN
HON'BLE MR. JUSTICE ANIL R. DAVE

For Appellant(s)/ Applicant(s)	Mr. Fali S. Nariman, Sr. Adv. Mr. Subhash Sharma, Adv. Mr. S Sukumaran, Adv. Mr. S Durairaj, Adv. Mr. Anand Sukumar, Adv. Mr. Bhupesh Kumar Pathak, Adv. Ms. Meera Mathur, Adv.-on-Record
For Respondent(s)	Mr. B. Bhattacharya, ASG Mr. K Swami, Adv. Mr. Raj Kumar Tanwar, Adv. Mr. Arvind Kumar Sharma, Adv.-on-Record

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

We have heard learned counsel for the parties on the question of interim stay. Having done so, we direct that pending disposal of this appeal, the respondent shall not take any coercive steps for the recovery of amount of penalty of Rs. 79,08,477/- levied under Section 78 of the Finance Act, 1994, subject to the petitioner's furnishing a solvent security to the satisfaction of the Commissioner concerned. The application stands disposed of accordingly.

Rejoinder affidavit may be filed within four weeks.

[Charanjeet Kaur]
Court Master

[Kusum Gulati]
Court Master