

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.4/2013 IN CIVIL APPEAL NO.7241 OF 2012

COMMR.OF CUSTOMS(IMP)

Appellant (s)

VERSUS

M/S STONEMANN ROYALE LTD.

Respondent(s)

(For Directions and office report)

Date: 25/02/2013 This Matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL R. DAVE
HON'BLE MR. JUSTICE VIKRAMAJIT SEN

For Appellant(s) Mr. K. Radhakrishnan, Sr. Adv.
Mr. Chandra Bhushan Prasad, Adv.
Mr. T.M. Singh, Adv.
Mr. B.K. Prasad, Adv.
for Mr. Arvind Kumar Sharma, Adv.

For Respondent(s)/
Applicant(s) Ms. Indu Malhotra, Sr. Adv.
Mr. Saurabh Kirpal, Adv.
Dr. G.K. Sarkar, Adv.
Mr. Medhavi Kumar, Adv.
Mr. Jay Savla, Adv.

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

I.A. No.4 of 2013 has been filed on behalf of the respondent in Civil Appeal No.7241 of 2012. Appearing in support of the application, Ms. Indu Malhotra, learned senior counsel, contended that there were two appeals, which had been pending before the Commissioner of Customs (Appeals), JNCH,

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Nhava Sheva, of which the present civil appeal relates to one of them. However, according to Ms. Malhotra, Commissioner of Customs (Appeals) is not proceeding with the second appeal on account of the pendency of the first appeal. This has resulted in the filing of the present application.

Having heard both Ms. Malhotra, learned senior counsel for the applicant-respondent, and Mr. K. Radhakrishnan, learned senior counsel appearing for the Commissioner of Customs, we dispose of the application and direct the Commissioner of Customs (Appeals) to dispose of the pending appeal against Order dated 26th July, 2012, in Order-in-Original No.5079 of 2012, without being influenced by the pendency of Civil Appeal No.7241 of 2012.

The interlocutory application is allowed to the above extent and confined to prayer (i) only.

[T.I. Rajput]
A.R.-cum-P.S.

[Juginder Kaur]
Assistant Registrar