

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).26470/2013

(From the judgement and order dated 02/05/2013 in MAT No.403/2013,WP No.3391/2013 of the High Court of Calcutta)

DATRE CORP. LTD. & ANR.

Petitioner(s)

VERSUS

COMMISSIONER OF CUSTOMS (PORT) & ANR.

Respondent(s)

(With appln(s) for permission to file additional documents and prayer for interim relief)

Date: 16/09/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIL R. DAVE  
HON'BLE MR. JUSTICE DIPAK MISRA

For Petitioner(s)

Mr. Vivek K. Tankha, Sr. Adv.  
Ms. Sangeeta Mandal, Adv.  
Mr. Saurav Aggarwal, Adv.  
Mr. Kumar Gupta, Adv.  
Mr. Arpit Shukla, Adv.  
Ms. Vineeta Bhardwaj, Adv.  
for M/s. Fox Mandal & Co., Advs.

For Respondent(s)

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

Leave granted.

The appeal is disposed of with no order as to costs in terms of the signed order.

| (Sarita Purohit)  
| Court Master

| | (Sneh Bala Mehra)  
| | Court Master

(Signed order is placed on the file)  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.8351 OF 2013  
(Arising out of SLP(C)Nos.26470 of 2013)

DATRE COOPERATION LIMITED & ANR.

...APPELLANTS

VS.

COMMISSIONER OF CUSTOMS (PORT) & ANR. ....RESPONDENTS

O R D E R

Issue notice.

Mr. Mohan Parasarn, learned Senior Advocate, accepts notice on behalf of Mr. B.K. Prasad, learned Advocate on record for the respondents.

Leave granted.

Looking at the fact that the Appellant is a sick company and looking at the peculiar facts of the case, in the interest of justice and, more particularly, so as to see that the workmen working in the Appellant-Company do not suffer much, we modify the order of the High Court to the effect that instead of 25%, which comes to about Rs.50 lakhs, a sum of Rs.25 lakhs be deposited by way of pre-deposit. The amount shall be deposited within eight weeks from today.

..2/-

.2.

The appeal is disposed of with the above directions, with no order as to costs.

Upon deposit of the aforesaid amount, the appeal shall be restored to file at its original number and shall be heard and disposed of accordingly.

.....J.  
[ANIL R. DAVE]

.....J.  
[DIPAK MISRA]

New Delhi;  
September 16, 2013.

