

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

I.A.NO.2 IN CIVIL APPEAL NO. 4337 OF 2006

COMMISSIONER OF CENTRAL EXCISE

Appellant (s)

VERSUS

M/S. AMRIT FOODS

Respondent(s)

(For ad-interim ex-parte stay and office report)

Date: 02/02/2009 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA

HON'BLE MR. JUSTICE AFTAB ALAM

For Appellant(s) Mr. V. Shekhar, Sr.Adv.

Ms. Shweta Garg, Adv.

Mr. Ashish Gopal Garg, Adv.

Mr. B. Krishna Prasad, Adv.

For Respondent(s) Mr. S. Ganesh, Sr.Adv.

Mrs. Rohina Nath, Adv.

Mr. Raghav Gupta, Adv.

Mr. Umesh Kumar Khaitan, Adv.

UPON hearing counsel the Court made the following
ORDER

Application filed by the respondent-assessee for refund of Rs.91,63,301/- is granted on the condition that the respondent will furnish a bank guarantee of a Nationalised Bank in favour of the Commissioner of Central Excise, Meerut Division-I. The bank guarantee shall be furnished within a period of four weeks and it shall be for a period of three years from today. The bank guarantee shall be given without prejudice to the rights and contentions of the respondent in the pending Civil Appeal.

I.A.No.2 is disposed of accordingly.

(N. ANNAPURNA)
COURT MASTER(MADHU SAXENA)
COURT MASTER