

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).20334/2009

(From the judgement and order dated 06/07/2009 in ATC No.25/2009
of the HIGH COURT OF CHATTISGARH AT BILASPUR)

B.S.N.L.

Petitioner(s)

VERSUS

COMMR.CEN.EXC.& CUSTOMS

Respondent(s)

(With prayer for interim relief)

Date: 28/08/2009 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.H. KAPADIA
HON'BLE MR. JUSTICE AFTAB ALAMFor Petitioner(s) Mr. Altaf Ahmad, Sr.Adv.
Mr. Naveen Kumar Singh, Adv.
Mr. Prakash Jha, Adv.
Mr. Dharmendra Kumar Sinha, Adv.

For Respondent(s)

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

We are of the view that instead of going into the question of limitation and power of the High Court to condone the delay in filing the Appeal under Section 14 of the Limitation Act, it would be advisable for the BSNL to file a Civil Appeal directly against the decision of the CESTAT dated 21st May, 2008. Stand over for three weeks. If the Civil Appeal is filed within three weeks, the matter will not be dismissed on the ground of delay.

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