

d IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO.7667 OF 2009

Laddan Steel Ware Mfg. Co. ...Appellant(s)  
Versus  
Commissioner of Customs, New Delhi ...Respondent(s)

O R D E R

By the impugned judgment, the High Court held that it had no power to condone the delay in proceedings under Section 130 of the Customs Act. However, by Finance Act of 2009, the section has been retrospectively amended. By the said amendment, power has been given to the High Court to condone the delay.

In the circumstances, the impugned order is set aside and the matter is remitted to the High Court for de novo consideration in accordance with the amended law.

Civil Appeal is disposed of accordingly.

.....J.  
(S.H. KAPADIA)  
  
.....J.  
(AFTAB ALAM)

New Delhi,  
December 04, 2009.  
ITEM NO.6

COURT NO.2 SECTION III

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

CIVIL APPEAL NO(s). 7667 OF 2009  
(FOR PREL. HEARING)

LADDAN STEEL WARE MFG. CO. Appellant (s)  
VERSUS  
COMMISSIONER OF CUSTOMS, N.DELHI Respondent(s)

(With appln(s) for ex-Parte stay)

Date: 04/12/2009 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. Rupesh Kumar, Adv.  
                                 Ms. Pankhuri Shrivastava, Adv.

For Respondent(s)

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

Civil Appeal is disposed of in terms of the  
signed order.

(N. ANNAPURNA)  
COURT MASTER

(MADHU SAXENA)  
COURT MASTER

(Signed order is placed on the file)