ina Plastics Vs. Commissioner of Central Excise

ina Plastics Vs. Commissioner of Central Excise

SooperKanoon Citation : sooperkanoon.com/24150

Court : Customs Excise and Service Tax Appellate Tribunal CESTAT Mumbai

Decided On : Jun-28-2001

Appellant : ina Plastics

Respondent : Commissioner of Central Excise

Judgement :

1. The application is for waiver of deposit of penalty on the applicant of Rs.36,500/- under rule 11AC. The duty demanded of Rs.36,500/- has already been deposited.

2. Although the appeal and the stay application are stated to have been filed by Ina Plastics there is a prayer in each by them for setting aside the penalty imposed on Sunil D. Sanghvi, partner of the firm.

Counsel for the applicants has been informed that in accordance with the rules and decisions on the subject, the appeal and the stay applications are each considered to have been filed by Ina Plastics and this order is therefore confined to that application.

3. Having regard to the fact that duty has already been deposited, and the nature of the issue involved, we direct the applicant to deposit Rs.10,000/- within one month from the date of receipt of this order.

Thereupon we waive deposit of the remaining amount of penalty and stay its recovery.