

Sunil Behl Vs. Cc

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Court : Customs Excise and Service Tax Appellate Tribunal CESTAT Delhi

Decided On : Jun-13-2002

Reported in : (2002)(83)ECC788

Judge : S T G.R., P Bajaj

Appellant : Sunil Behl

Respondent : Cc

Judgement :

2. The appellant was directed vide stay order dated 25.5.2001 for making the pre-deposit of Rs. 30 lakhs within a period of eight weeks.

He failed to comply with this order and his appeal was ordered to be dismissed vide order dated 8.1.2002. However, he was given liberty to get the appeal revived in case he was able to show the compliance with the stay order on or before 13.5.2002, but he has still failed to comply with the stay order dated 25.5.2001. He has, however, filed the application seeking extension of time for making pre-deposit in order to get his appeal revived for hearing on merits. He has appeared in person and requested for extension of time on the ground that his entire money is blocked and the Income Tax Department is taking long time in finalizing his income tax liabilities. He has also produced a copy of the letter issued by the Director (ITCC), vide which he has been informed to get in touch with Director (V&L), Central Board of Direct Taxes. Therefore, keeping in view the facts and circumstances of the case, we allow the appellant to get his appeal restored within

thirty days, if he makes the pre-deposit of the amount in terms of the stay order of the Tribunal, referred to above, on or before 3.10.2002.

The period of thirty days will be available to him from the date of the deposit.

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