

Alpha Heat Intercharge (i) Pvt. Ltd. Vs. Uoi and ors.

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Court : Mumbai

Decided On : Feb-23-1998

Reported in : 1998(76)LC2(Bombay)

Judge : B.P. Saraf and; Ranjana Desai, JJ.

Appeal No. : Writ Petition No. 906 of 1998

Appellant : Alpha Heat Intercharge (i) Pvt. Ltd.

Respondent : Uoi and ors.

Advocate for Def. : Mr. Mehta

Judgement :

1. Mr. Mehta, learned Counsel for the respondents submits that in view of the filing of the appeal by the petitioners before the Commissioner of Central Excise (Appeals) and pendency of stay application for stay of recovery of the disputed demand before the Commissioner of Central Excise (Appeals) and the decision of this Court in Mahindra & Mahindra v. Union of India reported in : 1992(59)ELT505(Bom) , no action will be taken against the petitioners under Rule 230 of the Central Excise Rules, 1944 till the disposal of the stay application by the Commissioner of Central Excise (Appeals) and for a period of two weeks thereafter. He also submits that the stay application will be disposed of by the Commissioner (Appeals) as expeditiously as possible and at any rate within six weeks from today.

2. In view of the above statement, this writ petition is not pressed and hence disposed of accordingly.

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