

Grover Suri and Associate Vs. Cce

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SooperKanoon Citation : sooperkanoon.com/46283

Court : Customs Excise and Service Tax Appellate Tribunal CESTAT Delhi

Decided On : Oct-15-2007

Judge : P Das

Appellant : Grover Suri and Associate

Respondent : Cce

Judgement :

1. The applicant filed this application for modification of the Stay Order No. 500/07-SM(BR) dated 11.7.07 directing to pre-deposit the entire amount of penalty and to report compliance on 17.9.07. Ld.

Advocate submits that the Stay Order was passed ex-parte. He submits that the applicant is proprietorship firm and the proprietor was out of town when the notice was issued. Therefore, the applicant failed to appear at the time of hearing of the stay application.

2. After hearing both sides, I find that that there is sufficient reason to recall the Stay Order dated 11.7.07. Hence, the Stay Order dated 11.7.07 passed ex-parte is recalled. The application is allowed.