
(1990) 07 AHC CK 0072

In the Allahabad High Court

Case No : Civil Misc. Writ Petition No. Nil of 1990

Kailash Structurals Pvt. Ltd.

APPELLANT

Vs

Union of India (UOI) and Others

RESPONDENT

Date of Decision : 18-07-1990

Acts Referred:

Citation : (1990) 31 ECR 711

Hon'ble Judges : B.P. Jeevan Reddy, C.J.; R.A. Sharma, J

Bench : Division Bench

Final Decision : Disposed Of

Judgement

B.P. Jeevan Reddy, C.J.—The only grievance in this case is that though the petitioner filed an appeal along with a stay application before the Appellate Collector on 28th June, 1989, no orders have been passed in the stay application. It is complained that at the same time the authorities are proceeding to collect the duty as per the order under the appeal. Under the circumstances, it is directed that the Collector shall dispose of the stay application within one month of the date of receipt of the certified copy of this order, if not already disposed of. Pending such orders, the recovery of the disputed duty in pursuance of the order under Appeal shall remain stayed.

2. This order is subject to the condition that the petitioner produces a certified copy of this order within two weeks from today before the authority.

3. This order shall not operate if the appellate authority has already passed orders in the stay application.

The writ petition is disposed of with the above direction.