
(2011) 09 P&H CK 0174
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 17380 of 2011

Nabha Steels Ltd.

APPELLANT

Vs

Union of India (UOI) and Others

RESPONDENT

Date of Decision : 16-09-2011

Acts Referred:

Citation : (2011) 09 P&H CK 0174

Hon'ble Judges : Jaswant Singh, J; Hemant Gupta, J

Bench : Division Bench

Judgement

Hemant Gupta, J.—Learned Counsel for the Petitioner contends that the appeal of the Petitioner against the amount of duty and penalty imposed vide the order dated 31.3.2010 is pending before the Customs, Excise Service Tax Appellate Tribunal for 21.10.2011 along with an application for stay of deposit of the amount of levy. On the other hand, department is taking coercive steps for recovery of the duty and penalty imposed. It is pointed out that out of the total duty of Rs. 1,77,75,258/-, the Petitioner has deposited Rs. 77,35,790/- and shall deposit another sum of Rs. 25.00 lacs within a period of two weeks. But the coercive steps should not be taken by the Respondents till such time, application for waiver of pre-deposit is considered by the Tribunal.

2. Notice of motion.

3. Mr. H.P.S. Ghuman, Advocate accepts notice on behalf of Respondents.

4. After hearing learned Counsel for the parties, present petition is disposed of with liberty to the Petitioner to deposit the amount of Rs. 25.00 lacs on or before 30.9.2011. If the Petitioner deposits the said amount, no coercive steps should be taken by the Respondents till such time application for waiver of pre-deposit of the tax and penalty is considered by the Tribunal.

5. Disposed of.

6. Copy of this order be given dasti under the signatures of the Special Secretary.