
(1997) 01 AHC CK 0032
In the Allahabad High Court
Case No : Civil Misc. W.P. No. 10 of 1997

Naveen Glass Products

APPELLANT

Vs

CCE (A) and Another

RESPONDENT

Date of Decision : 10-01-1997

Acts Referred:

Citation : (1997) 70 ECR 745

Hon'ble Judges : R.K. Gulati, J;Om Prakash, J

Bench : Division Bench

Judgement

1. Heard counsel for the parties.
2. The short contention of the petitioner is that along with the appeal memo stay and waiver applications were filed which are said to be still pending. The grievance of the petitioner is that without awaiting a decision on the stay and waiver applications, the respondents are rushing up to make recovery from the petitioner.
3. On these facts the petition is disposed of finally directing the appellate authority (respondent No. 1) to decide the stay and waiver applications of the petitioner (annexure-2 to the writ petition) within two weeks from the date a certified copy of this order along with copy of the stay and waiver applications is produced before the appellate authority by the petitioner, who undertakes to produce the same before the appellate authority within one week from today.
4. Until decision on the stay and waiver applications as aforesaid, recovery pursuant to the letter dated 14.11.1996 (annexure-3 to the writ petition) will not be made from the petitioner.
5. If the petitioner fails to take steps as aforesaid, then the stay order will stand vacated.
6. Certified copy of this order will be supplied to the parties on payment within 24 hours.