

(1992) 02 AHC CK 0030

In the Allahabad High Court

Case No : Civil. Miscellaneous Writ Pettion No. 213 of 1992

Sudershan Doors Pvt. Ltd. and Another

APPELLANT

Vs

Union of India (UOI) and Others

RESPONDENT

Date of Decision : 10-02-1992

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (1992) 43 ECR 112

Hon'ble Judges : S.K. Verma, J;Anshuman Singh, J

Bench : Division Bench

Judgement

Anshuman Singh, J.—We have Heard learned Counsel for the petitioner and the learned Additional Standing Counsel appearing for the Union of India. The grievance of the petitioner in the present writ petition is that though he has filed an appeal before the Appellate Collector Central Excise along with an stay application on 29.1.1992 but the said application has not been disposed of and in the meantime, the authorities are insisting that the petitioner should implement the order passed by the Assistant Collector. Since the petitioner has already filed an statutory appeal, we are not inclined to interfere under Article 226 of the Constitution of India. The petition is accordingly rejected. However the Collector (Appeals) Allahabad is directed to dispose of the stay application of the petitioner within a period of one week from the date of presentation of the certified copy of the order of this Court, in the meantime the operation of the order dated 17.1.1992 shall remain stayed till 20.2.1992.