

IN THE HIGH COURT OF JUDICATURE AT JABALPUR

WRIT PETITION NO. 1524/1998.

(3)

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA)

PETITIONER:

Jindal steel & Power Limited
(formerly known as Jindal Strips Limited)

Having its factory at
Mandir Hassaud, Tahsil & District-
RAIPUR (MP).

//Versus//

RESPONDENTS:

- R 1. The Union of India,
Through Secretary,
Ministry of Finance
(Department of Revenue),
NEW DELHI.
- R 2. The Commissioner,
Central Excise & Customs,
Central Revenue Building,
Civil Lines, Raipur (MP).
- R 3. The Assistant Commissioner,
Divisional Office,
Anupam Nagar, Raipur (M.P.).
- R 4. The Superintendent,
Central Excise, Range-I,
L-25, Anupam Nagar, Raipur (M.P.).

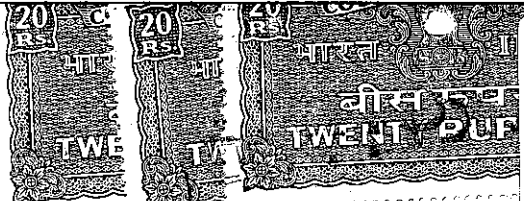


WRIT PETITION UNDER ARTICLE 226/227 OF THE
CONSTITUTION OF INDIA

Attended
by
ARV

Amendment
made at Raipur
order dt-28-2-2002.

12-3-2002.



Attended
2700
BP
ARW

IN THE HIGH C

WRIT PET

PETITION UNDER AS

PETITIONER:

Amendment
made at Rs
order dt. 28-2-2003.

Jindal steel & Power Limited
(formerly known as Jindal strips Limited)

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आदेश पत्रक

W.P. 1524/98

मामला क्रमांक सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p>28.02.2003</p> <p>Shri Alok Aradhe, Advocate for the petitioner.</p> <p>Shri V.V.S. Murthy, Addl. Central Govt. Standing Counsel for the Union of India.</p> <p>Heard on I.A.No.1815 of 2003 for amendment. Prayer not opposed. Application is allowed.</p> <p>Amendment be incorporated.</p> <p>The petitioner has filed an affidavit explaining the circumstances, as directed. Counsel for the petitioner submits that the petitioner regrets and tenders apology for the mistake. It is also stated that the position has also been explained in the rejoinder accompanied by affidavit of Shri S.M. Agrawal, General Manager of the Petitioner Company.</p> <p>Heard.</p> <p>Counsel for the Union of India has no objection. He submits that the mistake appears to be not intentional.</p> <p>The apology tendered is accepted.</p> <p>Counsel for the parties submits that in similar matter order has been passed. A copy of the order dated 10.10.2001 passed in W.P.No.1684/2001 has been produced.</p> <p>Since the grievance of the petitioner has been high- lighted in the representation made before the Commissioner of Central Excise, Raipur, having thus considered the facts and circumstances of the case and material on record, in the opinion of this Court ends of justice would be served if instead of this Court</p>	

[पीछे देखिये]

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आदेश पत्रक

मामला क्रमांक W.P. 1524/88 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<p>examining the matter the Excise Commissioner should examine the entire matter on merit and pass necessary order. In this view of the matter, this writ petition is disposed of after hearing counsel for both the sides, with a direction that the Commissioner Central Excise and Customs, Raipur shall examine the representation and pass necessary orders on merits. Let it be done within a period of one month from the date of receipt/production of this order. Till the Commissioner decides the matter, no coercive steps may be taken against the writ petitioner.</p> <p>Counsel for the petitioners submits that they have deposited Rs.25,81,000/-. It is prayed that if the petitioner succeeds, the amount so deposited be directed to be refunded. Counsel for the Union of India submits that no specific direction as sought is required. If the petitioner succeeds, he is entitled to get back the amount/refund and in case any amount is due it has to be recovered and will be recovered.</p> <p>With direction/observation aforesaid, this writ petition is disposed of.</p> <p>C.C. as per rules.</p>	

Sd/-
Fakhruddin
Judge

[पीछे देखिये]

13/5
20/7/88