

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY, NAGPUR
BENCH, NAGPUR.**

WRIT PETITION NO.1627 OF 2013

**Sunil Hi-Tech Engineers Limited, thr its General Manager (Finance),
Nagpur**

..vs..

**Union of India, thr its Secretary, Ministry of Finance, New Delhi and
ors**

.....
Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders
.....

Court's or Judge's order

**Shri Rajnish Vyas, counsel for the petitioner.
Shri F.T. Mirza, counsel for R-3.**

**CORAM : B.P.DHARMADHIKARI &
A.P.BHANGALE, JJ.
DATE : FEBRUARY 10, 2015.**

Heard.

The petitioner has filed two proceedings before the CESTAT. In proceeding, arising out of order in original dated 28.3.2012, *interim* orders are already granted and the matter was to be heard on 10.4.2013. In other appeal, arising out of order in original dated 29.10.2012, the stay application has not been still considered. The CESTAT could not proceed further because of *interim* orders passed by this Court.

Both learned counsel for the parties inform that the matters are before the CESTAT today and Shri Vyas, learned counsel, informs that same stand adjourned now till 9.3.2015.

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In this situation, we vacate the *interim* orders so as to enable the CESTAT to consider the prayer for stay moved by the petitioner in its appeal against order in original No.70/ST/2012/C dated 29.10.2012. The said prayer or the appeal itself on merits may be considered within a period of two weeks from 9.3.2015. The other appeal can also be considered as per its convenience along with the said challenge by the CESTAT.

However, till the CESTAT passes further *interim* orders in appeal against order in original dated 29.10.2012, the parties shall maintain *status quo* as on today.

With these directions, the writ petition is disposed of. No costs.

JUDGE

JUDGE

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