

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE THOTTATHIL B.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE SUNIL THOMAS

THURSDAY, THE 13TH DAY OF AUGUST 2015/22ND SRAVANA, 1937

RFA.No. 254 of 2009 ()

(AGAINST JUDGMENT/ORDER IN O.S.NO.353/2005 OF IIND ADDITIONAL
SUB COURT, ERNAKULAM DATED 04.09.2008)

APPELLANT(S)/PLAINTIFF:

V-GUARD INDUSTRIES PVT. LTD.,
REPRESENTED BY K.VIJAYAN, DIRECTOR (ADMN.), 44/875
LITTLE FLOWER CHURCH ROAD, KALOOR, KOCHI-682 017.

BY ADVS.SRI.H.RAMANAN
SRI.ALEX N. MATHEW
SRI.JAMES JOSE

RESPONDENT(S)/DEFENDANTS:

1. ICICI BANK LTD.,
SMALL ENTERPRISES GROUP,
ICICI BANK TOWERS, 8TH FLOOR
EAST WING, NO.93, SANTHOME HIGH ROAD
RAJA ANNAMALAI PURAM, CHENNAI-600 028.

*2. THE CENTRAL BOARD OF EXCISE & CUSTOMS, DELETED
MINISTRY OF FINANCE, NORTH BLOCK, NEW DELHI-1.

*(SECOND RESPONDENT IS DELETED FROM THE PARTY ARRAY AS PER
ORDER/JUDGMENT DATED 13.08.2015 ON I.A.NO.1683 OF 2015 IN THE
APPEAL)

R1 BY ADV. SRI.K.K.CHANDRAN PILLAI (SR.)
R1 BY ADV. SMT.MAIMOONA BADSHA
R1 BY ADV. SRI.PHILIP T PAUL
R1 BY ADV. SRI.P.M.MANOJ (KANNUR)
R2 BY ADV. SRI.JOHN VARGHESE, SC, CEN.BOARD OF EXCISE

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD ON
13-08-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN &
SUNIL THOMAS, JJ.

.....
I.A.Nos.1683 of 2015 & 1682 of 2015
and
RFA No.254 of 2009
.....

Dated this the 13th day of August, 2015.

J U D G M E N T

Thottathil B.Radhakrishnan, J.

I.A.No.1683 of 2015

Allowed.

I.A.No.1682 of 2015 and RFA

The I.A. is recorded. Resultantly, the appeal is ordered in terms of that compromise. Refund one-half of the court fee paid on the appeal to the appellant through its learned counsel.

(THOTTATHIL B.RADHAKRISHNAN, JUDGE)

(SUNIL THOMAS, JUDGE)