

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

PRESENT

THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR

C.E.A.NO.25 OF 2015

DATED:18.03.2015

Between:

The Commissioner of Customs, Custom House, Port Area,
Visakhapatnam.

...Appellant.

And

M/s. Jai Balaji Industries Limited,
#5, Bentinck Street, Kolkata.

... Respondent.

**THE HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA
AND
THE HON'BLE SRI JUSTICE SANJAY KUMAR**

C.E.A.NO.25 OF 2015

JUDGMENT: (per the Hon'ble The Chief Justice Sri Kalyan Jyoti Sengupta)

This appeal is dismissed for the following reasons.

The certified copy of the impugned order, which is annexed to the appeal was underlined with red ink and also some endorsement was made by an Officer with the words "urgent AO/Legal". We are of the view that the document, which is supposed to be filed in Court, must not be touched by any one else, and the Officer, who has done it, must be careful in future. Because of this reason, this appeal has to be dismissed. However, liberty is given to the appellant to file a fresh one on obtaining the fresh certified copy.

Let a copy of this order be communicated to the Commissioner of Customs and Service Tax, Visakhapatnam, to take note of this failure and lapses of the Officer concerned. The Commissioner may take appropriate action, if so requires departmentally.

Pending miscellaneous petitions, if any, shall also stand dismissed. There will be no order as to costs.

K.J. SENGUPTA, CJ

SANJAY KUMAR, J

18.03.2015
GJ/KVNI