

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.26 OF 2015

DATED:18.03.2015

Between:

M/s. Icomm Tele Limited, Plot No.31, Phase-a, Kamalapuri,
Srinagar Colony, Banjara Hills, Hyderabad.

...Appellant.

And

The Commissioner of Central Excise & Customs
Visakhapatnam-II Commissionerate,
Central Excise Building, Port Area,
Visakhapatnam – 530035
Andhra Pradesh.

... Respondent.

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

C.E.A.NO.26 OF 2015

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

We have gone through the impugned order of the learned Tribunal and a copy of the application in which the impugned order was passed. Going by the record, we are unable to interfere with the impugned order at this stage. However, it appears, the appellant has placed materials attempting to demonstrate that there is acute financial hardship, and those materials were not placed before the learned Tribunal, nor such case was made out.

Under the circumstances, we close this appeal permitting the appellant to make a fresh application setting out its financial hardship with materials. If such application is taken out, then the learned Tribunal shall deal with the same in accordance with law.

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

